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'Text' of Ligachev's Second Congress Speech

90US0414A Moscow IZVESTIYA in Russian
15 Dec 89 Morning Edition p 10

["Text" of speech by Ye.K. Ligachev, CPSU Central Committee Politburo member, secretary of CPSU Central Committee, and USSR people's deputy, to afternoon session of Second Congress of USSR People's Deputies in Moscow on 13 December]

[Text] Esteemed Comrade People's Deputies! Here, at the Congress of People's Deputies, as in society in general, I think I will not be wrong when I say that a collective search is going on for effective solutions to very difficult problems, a search that at times is agonizing, but necessary. I think that December's (this year) Plenum of the CPSU Central Committee, the speech by Mikhail Sergeyevich Gorbachev, and speeches by the plenum's participants, and, principally, the report by Nikolay Ivanovich Ryzhkov at our congress, and the speeches by the deputies, in fact, were devoted to this.

The search for new solutions is also going on in the agrarian sphere. Indeed, the food problem is a real pledge of perestroyka. If we solve it, we will move on, and we will move faster. The controversy is sharp, and voices can be heard to the effect that agriculture is at a dead end, and that the country stands on the eve of famine. In addition, some people think that the way out of the situation is small peasant farms and nothing else.

Permit me, comrades, to express my opinion on this problem. Last year, for the first time in their entire history, the kolkhozes [collective farms] and sovkhozes [state farms] had profits of R6 billion more than the resources that the state invested in them. The average annual grain yield during four years of the current five-year plan is more than 206 million tonnes. This is 26 million tonnes more than the last five-year plan. But, along with this, I would like to emphasize that we were again compelled to purchase abroad approximately 35 million tonnes of grain. But the matter comrades, is not, in the final analysis, in percentages, and not in figures, but in the situation in the food market. Actually, the critical nature with respect to the country's food, especially with meat products, is not lessening, but is intensifying. In addition, as is known, incomes are growing many times faster than the addition of food products. I would like to report to you, Comrade Deputies, that, in conformity with the decisions of the March (1989) Plenum of the Central Committee of the party, work has gotten under way throughout the country on the perestroyka of production relations in the village, and the broad introduction of economic accountability, contracts, leases, and cooperatives. Democratic principles of management, instead of command principles, are actually coming into the life of the village.

I would like to direct your attention to the following. We proceed from the fact that kolkhozes and sovkhozes are not some kind of stagnant form of administration. Quite a few kolkhozes and sovkhozes are already becoming cooperatives of leasing collectives. I will mention that there are up to a thousand agricultural firms, agricultural combines, and agro-industrial associations, and all of this gives a definite result.

Some assert that there is only one way—farmer households—that can fully provide the people of the country with food. Moreover, they refer to world practice. But why distort the facts this way? World practice confirms essentially two ways of solving this problem—the capitalist, in particular farmer units, and the socialist, in particular state and cooperative enterprises. I want to remind you, Comrade Deputies, that in our country kolkhozes and sovkhozes make up the main volume of food stocks, specifically 74 percent. And the remainder—somewhere around 24 percent—is provided by family farms, or, as they are otherwise called, personal plots, which are, incidentally speaking, an organic part of the socialist system of agriculture.

The primary form of socialist property, it is my conviction, should in the future be public property in the means of production in the form of state and cooperative enterprises, unions, and associations, and I would like to emphasize once more the integration with them of individual property in the form of family farms. I would like to mention that in socialist countries, where the population is well supplied with foodstuffs, literally almost all production of agricultural products is concentrated in collective farms.

Some people at times demand the establishment of small peasant farms instead of kolkhozes and sovkhozes. Others even say that it is necessary to introduce private property in land. In connection with this, I pose the question: What will this mean for our homeland? This will mean no more nor less than, if we are to look truth in the eyes, a radical change in the social base in the village. You will agree, comrades, that this is another social system. This kind of a question also surfaces often. How then do you explain the fact that labor productivity in our rural economy is significantly lower than among farmers of the capitalist countries, or, for example, among peasants of East European socialist states?

The reason, comrades, is obvious. It lies in the poor technical equipping of the agro-industrial complex and the social disarray in the Soviet village. I would say, in the rigidity of production relations in the kolkhozes and sovkhozes. We have been hearing for many years that the provision of resources of only the kolkhozes and sovkhozes will not help solve the food problem. There is some truth to this. But, in the final analysis, let us give the peasant the material resources on the same level that it is given in other developed countries—in capitalist and socialist countries. And I am firmly convinced that the picture with respect to food in the country will be entirely different.

I want to prove this with one example. The specialists believe the technical equipping of our peasants is the same as that which the American farmer underwent at

the beginning of the fifties, that is, 30-35 years ago. Note that at that time, with the technical equipping we now have, grain yield in the United States was 17 quintals [quintal equals 100 kg] per hectare. In our country it is now 18. That is, one and the same yield level. It is known that the American farmer today is equipped with resources that are 4.5 times better and that the yield of fields and the productivity of farms is 2-3 times higher. In my opinion, this is sufficiently convincing.

I would like to emphasize in this connection, so that there are no false rumors, that along with the strengthening of the material base, we must do everything so that the Soviet peasant actually becomes a real master of the land, and a real master of the results of his labor. I think that it makes no sense at this large meeting to speak about the social side of our villages, since the deputies know in what kind of condition a majority of the villages are. I want to say outright: Civilization gave wide birth to the way of life here. The pay of the peasant is lower than that of the industrial worker, equal to one-fourth. In a word, Comrades, no matter how we approach it, the technical and social misfortune of the peasant is absolutely apparent, and we deputies (this and future groups), sooner or later, will have to reach fundamental decisions, no matter how difficult they may be.

What can be seen as a way out? I asked our specialists to make certain calculations. They show that if we were able to raise the technical equipping and the social organization of the weak farms to a level of good or even average workers, the food supply in the country would be normal, and the problem would disappear. But this will require R270 billion of capital investment. I want to remind you what kind of resources this entails. It is a little less than what is earmarked for the agro-industrial complex in the current five-year plan. I am deeply convinced that without the material-technical and social suffusion of the agrarian sector we will not solve the food problem. It is not in vain that they say (these words are known, but I would like to repeat them): If it is bad for the peasant, then it cannot be good for society.

I would like to direct attention to the following. The party and the people have censured the command-administrative method. Why not resort to it again and dictate to the village how it is to live? If a peasant wants to start a farm, he has to be helped in every way possible. But, if he wants to live and work in a kolkhoz, or in a sovkhoz (and judging from the frame of mind of the village, this is a majority of people), or if he has an interest, let us say, in on-farm leasing, why prevent it? Why deprive him of such a right?

It is very important, in my deep conviction, to eliminate losses in the agro-industrial complex. They are simply incredible. Because there is no denying: Over the decades, it was believed that the main thing was to increase the output of a product, and that the more of it there was, the better it was. Nothing of the sort! The more products there were, the more losses there were.

I will not burden you with figures, but I will cite one or two. Recently, Mikhail Sergeyevich, referred to them. For a unit of finished product, we expend 1.3 units of agricultural raw material. While in the developed countries, take note, comrades, it is 1.02, just a tiny bit over a unit. I think that you will agree that under these conditions whatever form of property we developed—state, cooperative, or private—the peasant, comrade, simply does not understand why his difficult labor in many ways is dissipated, and why he is rebuked all of his life about the fact that he cannot feed the country.

We are losing products because of poor management, we lose a lot as a result of delaying the periods of harvest, and, of course, because of the obsolescence of the storehouses and processing facilities. The country is now creating a modern food industry. As Nikolay Ivanovich said in his report, the defense branches of industry are linked up with this. And as has already been said more than once, if we were able to gather, store, and process everything that we grow, the food picture would be entirely different.

At times, Comrades, you hear that the March Plenum of the CPSU Central Committee somehow did not justify its hopes. What can be said here? Its political premises for the development of the village and the agrarian sector of the economy are operating and are bringing results. The agrarian policy is by no means instruction on how to plow and sow, and, as they say, it is not for the party to engage in these things. An agrarian policy is consideration of the interests of the peasantry and society as a whole. It is the ways and means for their implementation.

I want to remind you that at the 19th All-Union party conference, and at the First Congress of People's Deputies, a decision was reached on the priority of the agro-food issue in the country. Naturally, this kind of a question arises: Was this priority established by planning organs, the ministries, and enterprises? And allow me to say that whole cities are actually turning away from the village. In the last two years, by comparison with 1986, the village began to receive less tractors, combines, building equipment, materials, fuel, and mineral fertilizers. I think: No matter how difficult it is, we must still give an answer to the well-known appeal of 417 deputy-agrarians to the First USSR Congress of People's Deputies.

I want to support especially actively the proposal of the government concerning the simultaneous introduction of new retail and wholesale prices. I want to mention that, in the final analysis, we must (there is simply no living without this) really introduce, as it is done in other developed countries, a support mechanism for price parity in agricultural and industrial products. Together with this, I would like to direct your attention to an idea that is persistently expressed about the need to review the decision made concerning the ratio of the rate of capital investment and the growth in food production for the 13th five-year plan.

What does this concern? Think it over, Comrades—an increase is envisioned in capital investments that is less than the increase in food commodities. I will cite the corresponding figures: capital investments by 19 percent, and food by 26-30 percent. I will say outright that this is a first not only in our own, but also in world practice. Believe me, this has never happened in our country, or in other countries. And, I think, there should be no illusions here. Let us technically equip and socially dispose the peasant in a proper way. We will create a modern food industry, move science thoroughly into the agro-industrial system, and restructure kolkhozes and sovkhozes on an economic basis. In the final analysis, let us recall the words of Vladimir Ilyich Lenin that the one who will be victorious is the one who has the best organization of production and (I want to emphasize this especially) the best machines.

And finally, Comrades, the current agrarian policy, as you know, is not something that is separate from the general policy of the party. It is its organic part. An agrarian policy can be implemented only under conditions of law and order and the unity of society. I would like to make this observation: In the situation that has developed in a number of regions of the country, it is very difficult, to put it mildly, to conduct a reorganization in the agrarian sector of the economy. Separatism is incited, the fire of interethnic discord is fanned, thousands of people are forced to leave their homes, their fields, gardens, and their jobs. In a word, it appears that the time has come to put up a barrier against this.

I am closing, and I want to say that, more than anything, we need self-respect, not self-reproach. I have frequent occasion to be in localities, and I see how much people want calm, personal safety, strong discipline, and organization. Demands like this are growing, and they are coming from within the depths of the popular masses.

As is known, peasants in the villages are engaged in work and in creation. Fortunately, they are not striking, and they are not rallying. A multi-million person detachment of communists is working in the agro-industrial system, and the fate of perestroyka and the authority and unity of the party worries them. Together with all Soviet communists, they have assumed responsibility for the present and the future of the socialist homeland.

In concluding, I want to say: I believe that communists will never shirk this responsibility. You and I, Comrades, I think, have the same concern: only that the country lives, and only that life will be good for our Soviet people. (Applause).

Latvian People's Deputy Speaks on Secession

90UN0690A Riga SOVETSKAYA LATVIYA in Russian 27 Dec 89 p 2

[Speech by Latvian People's Deputy V.I. Alksnis, colonel and senior engineer-inspector of military unit from Riga, to Second Congress of USSR People's Deputies in Moscow; date not given]

[Text] Dear Comrade Deputies! We are today discussing what is perhaps the most important question of our congress, because the fate of our state depends on its solution. No one, I believe harbors any illusions: Our union has entered a real phase of disintegration. You all heard yesterday's statement by the representative of the Lithuanian delegation. I confirm once again: Yes, truly the Baltic republics have embarked on the path of secession from the USSR. You will remember how at the First Congress of USSR People's Deputies the representatives of the Baltic republics who spoke from this podium assured us that all this was slander, that they wanted nothing of the sort, and that they were advocating the infusion of content of our federation with Leninist content.

Comrades, I draw your attention once again to the fact that the Baltic republics have embarked on the path of secession from the USSR. I in no way deny their right to self-determination. If a people wishes this, he should have the opportunity to realize this right. But let us be completely honest. If speaking from this platform we say some things and call for the infusion of the "federation" concept with new meaning, but in our minds hold back other things, that is, secession from the USSR, this is simply dishonest. I could provide you with quotations from the speeches of deputies who yesterday called on us here to struggle for the federation, but who in Lettish, Estonian, and Lithuanian in Tallinn, Vilnius, and Riga say the absolute opposite.

I believe, therefore, if we are to be completely honest, we need to discuss what the right to self-determination means and how the mechanism of realization of this right would operate. If the peoples of the Baltic republics wish to secede from the USSR, no one is about to intimidate them with tanks, assault rifles, and machine guns. That is, suppress their right to self-determination. I do not believe that we are capable of this.

But it is a most complex question. The national composition of the population which lives in the Baltic republics currently prevents us from really ascertaining how we would realize this right. Would we determine the desire merely of Letts, Estonians, and Lithuanians? But what about the other nationalities residing on Baltic territory? The development of some kind of mechanism is obviously necessary. This could, for example, be a referendum. The decision thereon should be made by a necessary majority or two-thirds or four-fifths of the population.

What actually unites us today? Today we are united by the USSR Constitution, which is called the Stalin-Brezhnev constitution. But it is, for all that, the constitution that unites us. We are united also by union ownership of the means of production. Unless I am mistaken, the value of the fixed production capital of the enterprises in the Baltic republics amounts to R55 billion. It is this which is as yet keeping the Baltic republics from taking the final step.

And the third restraining factor is the multinational composition of the republic population. I do not refer to the situation in the Lithuanian SSR [Soviet Socialist Republic] now. It is unique there. But in the Latvian SSR, say; Letts constitute 52 percent of the population, the non-Lettish, so-called Russian-speaking, population, 48 percent.

What does this population want? We do not know. Attempts are being made to assure us that the whole population wants one thing—secession from the USSR. But, knowing the mood of my electorate, which has for 18 months now been trying out this "paradise" of democracy and which has been subjected to discrimination and humiliation, I do not believe that it has any wish to find itself in the "paradise" which it is promised.

It is therefore essential, I believe, that we formulate a law on the procedure of secession from the USSR which stipulates clearly the condition of compensation for union property because all the republics have invested their resources in the development of this same Latvia. Uzbek women and children picked cotton in the contaminated fields, and it was shipped practically for a song to Riga and processed at our textile enterprises. Textile enterprises were built thanks to these children. And it has transpired that we have lived at the expense of these Uzbek women and children to a large extent.

I believe that any republic has the right to demand what belongs to it. We must therefore devise a mechanism for determining the will of the people.

As far as the question of the USSR Constitutional Oversight Committee is concerned, I still believe—forgive me Mikhail Sergeyevich, this might come out sharply perhaps, but—you have once again agreed to a compromise. We cannot go on forever giving in to this strong pressure. There are points beyond which we cannot retreat. The fate of our country is being decided. And for this reason I attended a meeting of the editorial commission for preparation of the draft law and spoke there. This is what I think. My colleagues from Latvia, Estonia, and Lithuania, let us be completely honest and say: We wish to leave. But let us not destroy the rest of the federation. We would respect your opinion, but let us devise a mechanism for determining the will of the people. And why destroy the remaining part of the federation? It transpires that you wish to leave and to burn down our common home at the same time. This cannot be allowed! I believe, therefore, that it is essential that we today enact the USSR Law on Constitutional Oversight, but the amendment to the decree which has been handed out to you practically gives all the union republics carte-blanche for a legislative initiative contrary to the USSR Constitution.

The situation now is such that the USSR Constitutional Oversight Committee does not have the right to monitor the constitutions and laws of the union republics prior to the new USSR Constitution taking effect. I have the impression that we could have a situation where we do not have even a new USSR Constitution and that we will disintegrate before this if the processes currently under way gain momentum. I therefore propose that we not adopt this amendment but decree that the law take effect as of 1 January 1990 without any amendments.

People's Deputies Discuss Revitalizing Economy

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[Report on meeting of section "On Measures for Revitalizing Soviet Economy" of Second USSR Congress of People's Deputies, including speeches by V.N. Kovalev, pilot-instructor of Mineralobodskiy combined aviation detachment, Stavropol Kray; V.-E.G. Bresis, chairman of Latvian SSR (Soviet Socialist Republic) Council of Ministers, Riga (Ekabpilsskiy national territorial electoral okrug, Latvian SSR); V.K. Mesyats, first secretary of Moscow CPSU Obkom (Stupinskiy territorial electoral okrug, Moscow Oblast); V.S. Advadze, director of Scientific Research Institute of Economics, Planning, and Management of National Economy under Georgian SSR Gosplan, Tbilisi (Tbilisskiy-Oktyabrskiy national territorial electoral okrug, Georgian SSR); N.I. Travkin, member of committee of USSR Supreme Soviet for questions of work of soviets of people's deputies and development of management and self-management, Moscow (Shchelkovskiy territorial electoral okrug, Moscow Oblast); M.S. Surkov, major general, chief of political section of military unit, Transcaucasian military district (Leninakanskiy- Shirakskiy national territorial electoral okrug, Armenian SSR); A.M. Yemelyanov, head of M.V. Lomonosov department of agricultural economics of Moscow State University, Moscow (Leninskiy territorial electoral okrug, Moscow]

[Excerpts] [Passage ommitted]

V.N. Kovalev: Esteemed Comrade Deputies! Like you, I am convinced that the measures proposed by the speaker for revitalizing the economy and other issues of the Second Congress are fundamental to the fate of our country. But still I wish to touch upon problems of our branch—Aeroflot. It serves millions of people, it produces a large income for the budget, and there should be a corresponding attitude toward it. Unfortunately, our problems were not touched upon at the First Congress nor were they discussed at either the first or the second session of the USSR Supreme Soviet.

By listening to the report from Nikolay Ivanovich Ryzhkov you could get an idea of the government program for bringing the country out of the crisis. But I still did not hear the necessary words concerning the crucial problems of transportation and particularly air transport. Perhaps the problems are not that great? No. As a pilot who has devoted more than two decades to aviation I declare: Our branch's problems are large and statewide. They are directly involved in serving people. For those who live in regions of the Far East, Yakutsk, Magadan, Siberia, and Tyumen, aviation is the main

means of transportation. Aeroflot is indebted to them for the daily inconvenience it causes, for the poor organization of the airports, and for the lack of attention and even rudeness.

If one were to evaluate Aeroflot's service to passengers it would require a radical restructuring not in words but in the demands of the law which should be worked out immediately. First of all it should provide a guarantee of the safety of the passengers and their rights. Relations between the passengers and Aeroflot must be changed. It is legal protection that will make it possible to change the entire mechanism for the work of Aeroflot and relations between it and other branches.

I think the only solution lies in a bold changeover of the subdivisions of our branch to economic accountability and leasing relations. In brief they must be given the right to dispose of their incomes so they can plan their further development independently. This is the way it is actually turning out. This year through flights abroad our enterprises obtained more than a million rubles in hard currency. After settling with the Ministry of Civil Aviation and the International Commerce Administration we are left in debt. Without taking into account the opinions of the labor collectives, under departmental pressure our enterprises continue to deduct a considerable share of their profit into centralized funds without receiving any return. This is mainly because Aeroflot constantly feels the impact of the monopoly of the Ministry of the Aviation Industry which, I note, does not contribute properly to improving the situation with respect to flight safety.

We need reliable new aircraft but the appearance of domestic equipment is being held back. For your information, comrade deputies, even on certain international routes we operate aircraft from the sixties. This is because each year we lose millions in hard currency and we shall continue to lose unless we swallow our pride and lease aircraft abroad.

I think that with such an approach the Ministry of the Aviation Industry will also work more actively, specifically to produce Tu-154M and Yak-42 aircraft which the national economy needs so much. Conversion in this department should be directed toward increasing output of civilian aircraft. With the approach we have now, in the near future the country's fleet of aircraft could be in critical condition. In this I support USSR People's Deputy Novozhilov who spoke yesterday at the Congress.

Another thing. In our branch every third air accident occurs because of the low level of discipline. You cannot strengthen discipline with words, orders, and slogans. The Ministry of Civil Aviation must look deeper into this problem. The main thing is to awaken in people creative activity, initiative, and the search for reserves. This is the only way to improve discipline, to raise the level of service, and to change over to new aircraft. It will then be possible to eliminate the immense arrears in the work of all services, to equip the airports, to provide them with the latest equipment, and to solve the social problems of Aeroflot workers which have lasted for decades. In brief, it is necessary to create conditions so that people will understand that working poorly is simply disadvantageous to them.

Comrade Deputies, I cannot but say a couple of words about the thing that is decreasing the chances of obtaining profit in our branch. The constant shortage of aircraft fuel during the summer period causes economic harm to the state and hurts the passengers' morale.

As a pilot I still cannot understand why hundreds of passengers must sit for hours in the airports waiting for fuel. For your information each additional landing also means an extra 6 tonnes of fuel. In October 1989 there were about 700 of these landings. Multiply this by 6 tonnes and you will get more than 4,000 tonnes of expensive aircraft fuel that is thrown to the wind in just one month. We are now discussing measures for improving the economy and I think it appropriate to revise the structure of the utilization of petroleum products.

Comrade deputies, tens of thousands of pilots, dispatchers, and technical specialists work in our branch. Unfortunately, for hundreds and hundreds of them social problems have not been solved, and pilots are living in privately owned apartments and family dormitories. They have no place to take care of small children. Frequently pilots fly aircraft without having rested and a dispatcher who has not had enough sleep guides him down for a landing.

The working conditions for workers in the ground services, for example in the repair shops and aircraft service bases, is no better.

There has long been a need to change our attitude toward civil aviation aircraft. The technical equipment is old and requires more attention. If one is to speak in principle, the present condition of the aircraft engine fleet is such that because of constant material failures there are many unexpected occurrences in flight. Emergency situations are sometimes created, and it is only because of the professional mastery and the steel nerves of the crews that they manage to avoid disaster. Incidentally, in recent times Mikhail Sergeyevich Gorbachev has frequently had occasion to sign ukases from the Presidium of the USSR Supreme Soviet concerning awards for Aeroflot crews for their courage and professionalism in difficult emergency situations.

The quality of aircraft repair at civil aviation shops does not satisfy us. Therefore greater rights must be given to aviation enterprises to repair their own aircraft.

I wish to note that the situation at the plants does not contribute to increasing flight safety. The aircraft bases are weak. Because of the lack of hangars people work out in the cold and wind. Because of the perpetual interruptions in the deliveries of spare parts and engines the

aircraft stand idle: It is impossible to plan the work or improve its quality; ultimately it is impossible to create a normal psychological climate in the labor collectives.

Comrade Deputies, at the present time a great deal of attention is being devoted to expanding international routes, joint enterprises are being created, and the volumes of shipments are increasing. Therefore it is literally necessary to "squeeze" as much as possible out of the airports. This is the situation in the Moscow airports, in Mineralnyye Vody, and many, many others. For more than 10 years I have been flying on Moscow airlines and I am fully aware of all the difficult tasks facing the aviators. Incidentally, all the people's deputies are feeling the work rhythm which is increasing from year to year in the Vnukovo, Domodedovo, and Sheremetyevo airports. Moscow needs a powerful modern airline system what is worthy of the goals and tasks of the capital of our homeland.

There are many problems but I have touched on only a few of them. I want it to be clear to the people's deputies that when drawing up the 13th Five-Year Plan the congress must instruct the USSR Government to make a real perestroyka decision concerning Aeroflot. This, incidentally, will largely enable us to stabilize the monetary flow in the country and there are great possibilities of this. This year 20 million people did not fly Aeroflot. It is expected that next year we shall be unable to satisfy the demand of about 27 million people. Let me repeat that for Aeroflot we must make a firm perestroyka decision. Thankyou for your attention. [Passage omitted]

V.-E.G.Bresis: Esteemed Deputies! First of all I would like to say that we basically support the measures developed by the government concerning our country's economy. We think they have prepared a certain scheme which, along with the laws that have been adopted and those that are still to be adopted, can mark a beginning of the economic reform in our country. But I wish to say at the outset that we must not stop at what we have achieved, that we must continue the elements of the economic reform, and this is apparently why the country's government has suggested that the USSR people's deputies discuss this program.

We think there are both long-term and immediate tasks. One of the most important of the immediate tasks is to bring order into material and technical supply for the national economy. Comrades, it is not just that the levels of the state order are not sufficiently substantiated, but that, unfortunately, our market is like a bazaar. The inadequate provision of raw materials and resources for the national economy and the poor discipline in fulfilling state orders and contracts create a real threat to the implementation of the revitalization program that has been earmarked, including the excessively taut—to put it mildly—proposals for the 13th Five-Year Plan for the production of consumer goods and food products.

It must be said that there is not even any need to make a model of such a situation. It exists today in our economy. I shall give just one example. I emphasize that in the fourth quarter of this year the republic will fail to receive approximately 30 percent of the gasoline and diesel fuel from the allotted supplies. I emphasize again—from the allotted quotas— which, let us say, would have suited us. But, unfortunately, no single organization in the country can solve this problem and even the Gossnab [State Administration for Material and Technical Supply] is powerless. Naturally, under these conditions in 1989 we shall not achieve the planning indicators for the development of the national economy. Unless we introduce order, the same destiny will threaten our plans under the 13th Five-Year Plan as well. The USSR Gosplan [State Planning Commission] and the USSR Gossnab give no guarantees that the allotted quotas will be provided, the sanctions for failure to make deliveries are miserly, and in our country there is practically no liability for refusing to conclude a contract within the framework of the quota. Therefore we think that the section on improving the material balance of the economy should be reworked and significantly concretized and strengthened.

The next problem is the problem of the republics that are changing over to economic independence. We think that the USSR law "On the Economic Independence of the Lithuanian SSR [Soviet Socialist Republic], the Latvian SSR, and the Estonian SSR" is a real step along the path to economic reform. But this is just the beginning. In order to put this mechanism into operation at the present time the republic is developing about 20 laws, the system of management of the national economy is being changed, and so forth. But this is probably not the main thing. The main thing is the fate of production, the fate of the enterprises. We think that for such republics as the Baltic republics where there are no raw material resources the enterprises must basically be transferred to the jurisdiction of republic management organs and should have a nondepartmental status. Unfortunately, the union ministries and departments have refused almost all of the 150 enterprises, which are far from being the largest, which we have suggested transferring to the jurisdiction of the Council of Ministers or to a nondepartmental status. This, comrades, is a very serious signal since there undoubtedly are forces that want to torpedo the new economic movement in our country.

The main reason and the main argument of the union ministries is that each enterprise, they say, is unique. Indeed, almost all enterprises are unique. But then one ends up with a paradox—the more the republics invest in the economic potential and create unique enterprises, the fewer rights these enterprises have and the less opportunity they have to put products from these enterprises on the union market. This, I emphasize once again, is exceptionally important for those republics that do not have other resources for participating in the union market except their own goods. Therefore we think that the USSR Council of Ministers should adopt a decree that reflects these aspects.

We think it is necessary to reflect the procedure for transferring enterprises to the jurisdiction of the republic national economy and also the most important provisions concerning the activity of the national economy under the conditions of economic independence, including with respect to questions of foreign economic activity.

We think that the section pertaining to foreign economic activity also still leaves one with a feeling of dissatisfaction since this sphere is very centralized. We think the republics should have the right to determine the norms for hard currency allowances, to grant licenses, to establish quotas for exports and imports of their own products, and to carry out taxation, registration, and control of the activity of enterprises engaging in foreign economic activity.

We are now increasingly opening up our economy and, as it were, we are coming closer to the world economy. We must ask ourselves whether or not we are prepared for this, especially from the technical standpoint. Will our country's port facilities, transportation, hotels, and so forth be able to handle this load? It seems to me that at this point, unfortunately, we are not prepared for this work. Latvia, for example, with its nonfreezing ports could play a significantly greater role in the development of economic ties between West and East by increasing existing capacities and even opening up new ports. But it is impossible to do this because there are not enough resources or hard currency allowances.

Where is the solution? There is no hard currency either in the union or in the republic. It seems to us that in the near future we must create a mechanism for interest, a mechanism for providing our own hard currency. I will give an example. A large volume of cargo is shipped through the Riga and Ventspils trade ports, including petrochemcial cargoes such as liquid ammonium, various toxic acids, and so forth. But, unfortunately, from the payment for this work the labor collectives and the republic receive such miserly retained hard currency allowances that they do not even make it possible to keep the port facilities in good condition. Therefore we think that in the future we should apply to the trade ports and the republics in which they are located the generally recognized world practice of paying for port services, including in hard currency. This is even more important since we are approaching the level of world prices and should undoubtedly observe this principle when this occurs.

The last thing. I will tell you my proposals on the principles for forming the new union budget. Since the question is not one of redistribution of the budget but of its formation, one would think that beginning with the 13th Five-Year Plan there should be some special-purpose contribution from the republic into the All-Union budget. We would like to know, for example, with what sum or part of the budget we are participating in unionwide programs and with what amounts we are participating, say, in the programs for the assimilation of the BAM [Baykal-Amur Mainline] or the oil fields and so forth.

Thus the republic could also participate in the discussion of the effectiveness of the unionwide programs. Unfortunately, at present we have essentially been deprived of this possibility. I think that this, comrade deputies, is important from the standpoint of the political situation since then, figuratively speaking, we would have internationalized our economy. We somehow would have experienced the link between peoples through our economy. It seems that the interrelations between the center and the republics, including budget relations, should be arranged on a long-term contractual and normative basis. We are also in favor of a market which is to assume an organized nature. We urgently need a trade intermediary, a partner, I emphasize, and not a distributor, we need a powerful information service at the level of the union, and other elements of the new economy.

Comrade deputies, there is no doubt that the simple and, as certain deputies here have said, somehow hackneyed word "perestroyka" will enter firmly into the history of humankind. It is our common task to give this symbol a worthy meaning.

Thankyou for your attention. [Passage omitted]

V.K. Mesyats: Esteemed chairman, esteemed deputies! The Second Congress of People's Deputies, on which the attention of all Soviet people is focused today, should provide an answer to a major question: Are the democratic institutions for state control and democracy that we have formed capable of leading the country out of the crisis?

If one faces the truth one must recognize that on the streets, in the buses, in the subways, on store shelves, near machine tools, and in the design bureau people are openly expressing their dissatisfaction with the current situation. Some are saying that they have been given too little freedom while others think it is too much. Some assert that the authorities are inactive while others say the opposite. Some find that the government is not listening to the opinion of scholars while others accuse them of all the sins of the intelligentsia and the economists who conceived the economic reform. One can clearly see attempts on the part of certain forces to stir up discontent among the people and to inflame passions by predicting social shock waves, civil war, and the death of millions. Such, comrades, is the critical wave that is sweeping up almost everyone. All that remain are differences in the determination of the ways of improving things, getting the economy out of the situation it is in, and understanding the immediate and more remote tasks. Differences of opinions and the lack of unity in evaluations and actions create a nutritive environment for vacillation on both the right and the left. This significantly impedes the consolidation of the society on a unified platform.

Comrade deputies, I think many of you will probably agree that our congress could give a powerful impetus to the consolidation of healthy forces on the basis of the program proposed by the government. Its merit is its clearly visible firm course toward the renewal of socialism through reform and the creation of equal conditions for realizing various forms of ownership and the formation of a planned-regulated socialist market. The program contains a complex of immediate measures for monetary-financial revitalization of the economy. Like any other, it is being subjected to critical analysis. Some support it, others add to it, and still others sharply criticize it. Under ordinary conditions this is a quite explicable and normal phenomenon. But now, when our country and our entire society is going through a critical stage of perestroyka, we need, in our view, not confrontation but compromises and constructive work, and though they may be small, we need practical steps forward. In our opinion, the measures envisioned in the report of Nikolay Ivanovich Ryzhkov can be approved because they encompass the entire spectrum of basic problems and synthesize various views and concepts. At the same time we are far from the idea that the proposed program has given exhaustive answers to all the problems life has given us.

In the first place, it should have shown more clearly what will be accomplished by the implementation of the earmarked measures by various categories of the population and social groups and when the improvements will be felt on the consumer market.

In the second place, the program designates the priorities but here one can clearly see the quite understandable desire on the part of the government to solve all problems at the same time. In our view, in order to somehow relieve the growing tension in the society it is necessary to concentrate material, financial, and labor resources on the main, vitally important directions for the development of the economy and the social sphere. Above all it is necessary to accelerate the adoption of laws on the land, property, a unified tax system, the socialist enterprise, and the reform of price setting. It is necessary to create conditions for stepping up the business activity of the basic production unit and to relieve it of the administrative dictatorship of the departments and excessive regulation. I would not say when all this should be done—within the first quarter or before 1 March 1990; I think only that these problems must be solved as quickly as possible.

It is no less important to put regional factors to work to increase the effectiveness of production and improve the people's living conditions, for example, strengthening economic partnership ties between local soviets and labor collectives. We must immediately begin to form a regional financial market which will help to invest the temporarily free money of the enterprises on a commercial basis—mainly in the production of food and goods and services for the population. We link the solutions to these problems inseparably to the changeover of all branches of material production to true, integrated economic accountability on the basis of leasing relations, and territories—on the principles of self-management and self-financing.

It should be emphasized that in spite of the fact that leasing and regional economic accountability are finding it difficult and painful to break out of the grip of the command-administrative system and the bureaucratic roadblocks, we have more than 1,700 collectives working with leases. The results of their work signif antly exceed the corresponding average indicators for the oblast. I will not conceal the fact that leasing is now experiencing difficult times and being subjected to regular attacks without sufficient justification or serious analysis. Our position here is this: Without juxtaposing leasing to any other management methods we must clear away the obstacles that have been raised before it and thus stimulate the development of state forms of ownership and—the main thing—rapidly obtain the necessary additional goods and services.

There are real ways to accelerate the solution to the food problem. Yesterday and today many deputies have already expressed their opinions regarding this issue but I feel that I must discuss it as well, albeit briefly.

Of course, we must not link the solutions to these problems to the disbandment of the kolkhozes [collective farms] and sovkhozes [state farms] for which people are calling from many podiums and in the pages of printed publications. This path, I will say directly, is fatal, and if we take it the food problem will become worse. Therefore we are resolutely against raising the issue in this manner. We think it is necessary to make the development of kolkhoz-sovkhoz production more dynamic; in literally three-four years—regardless of how difficult and complicated it may be—we must solve social problems in rural areas and create a reliable modern base for the storage and processing of agricultural products. This will make it possible to keep people on the land, which is what we are striving for.

At the same time, in places where the necessary conditions exist we must actively develop farms and peasant enterprises, organize cooperatives and family collectives with leases, and render them all kinds of support with the force of the law and also put a stop to attempts to impede any healthy initiative.

I should like to express also, comrades, my attitude toward increasing the production of consumer goods. As Nikolay Ivanovich Ryzhkov already reported, under the 13th Five-Year Plan their production is to increase by a factor of 1.6 - 1.7, which will undoubtedly make it possible to stabilize the consumer market. In order to cope with such a large target task we think we must solve one very important problem, namely providing material resources for those enterprises which produce consumer goods. It is necessary to retool enterprises of group "B" more rapidly.

Look at what is happening in our oblast. In the textile and light industry, which account for a large share of overall production, more than half of the equipment at the enterprises is obsolete. About 40,000 people are waiting to obtain housing. Under the current five-year plan more than 30,000 people have been discharged from the combines and factories—this is one- fifth of the production personnel. If this tendency is not brought to a halt the branch will end up in a difficult situation.

At the same time we clearly recognize that many problems related to the socioeconomic development of the oblast must be solved by ourselves and we must make better use of reserves and opportunities. I wish to emphasize that to count only on help from the union government and state subsidies and to arouse passions concerning the distribution of the deficit budget would mean to deliberately proceed toward the failure of the social program. More than ever before the government needs a calm, businesslike situation, local initiative, and support from all the people, the deputies, the party, and social organizations. We must give the government the opportunity to work fruitfully and purposefully and not have to report on all kinds of insignificant details. Comrades, all of us should understand well that unceasing sharp attacks on the leadership, pressure on it, strikes, and walk-outs create nervousness and play into the hands of those forces to whom destabilization of the situation in the country is advantageous.

I think that the campaign that has been directed against the party will lead to nothing other than a separation of forces. Our common task is to defend perestroyka from attacks from both the left and the right. Our oblast party organization has no doubt that only the party, interacting with the renewed democratic organs, can act as a consolidating force in implementing the revolutionary transformations and bringing the country out of the crisis situation. Thankyou for your attention. [Passage omitted]

V.S. Advadze: Esteemed Deputies! The situation in the country is such that neither the report from the government nor the nature of the discussion of it should be stereotypical. But this is precisely the way they are. With their absolute figures and percentages many of the reports remind us of failed plans. In many of the speeches we have heard grievances, reports of good work, or requests for the government to grant one kind of aid or another. Yet the situation in the country is extraordinary and the report from the government should not be ordinary. Participants in the discussion must answer the question: Can the proposed measures lead the country out of the economic crisis?

"The beginning of any wisdom is a recognition of the facts," said one intelligent person. At the very beginning of the report they recognize the facts about the catastrophic situation in the economy, the budget deficit, the state debt, and their increase during 1985-1989. But a number of questions arise: Why is it that only now, in the fifth year of perestroyka, we are recognizing the real state of affairs in the economy? Why at the very beginning of perestroyka did the government not raise the question of the advancing catastrophe and the need for extreme measures as early as 1986, 1987, and 1988? Finally, is the picture that has now been painted realistic? Or will they perhaps be speaking of another reality in two or three years?

Something incomprehensible is happening with us. The party began perestroyka and was in its vanguard. But it ended up in the rearguard of perestroyka. Our country began the perestroyka processes but now others have outstripped us. In any case the democratization of authority and the development of glasnost moved further in Czechoslovakia, Bulgaria, and the GDR in a week than it has here in five years.

It seems to me as an economist, a deputy, and simply as a citizen of my country who is not indifferent to its fate that I must express my opinion. In spite of my deep respect for the government and for Nikolay Ivanovich Ryzhkov personally I wish to say that our government has not found its place in the process of perestroyka. It does not know which role it should play in this process. We have already talked about this.

When on 26 July we discussed the draft law on the economic independence of the Lithuanian SSR and the Estonian SSR we said that the government could not get the country out of the economic crisis. This was not within its power. The government should contribute to a changeover from the command-administrative system of economic management, from the artificial condition in which the economy has found itself since the end of the twenties; it should be changed over to a natural condition in which it becomes a self-regulating system. Then Politburo members will not have to travel around making visits to boost agriculture, to light industry enterprises, or to make television appearances. This will not be necessary. This is fruitless work. We already know about programs that report results.

The second changeover is from centralism to decentralization, the transfer of the management of economic life to the republics for its further democratization.

Unfortunately our voice was not heard. The command-administrative system of management and centralism remain. In any case the leaders are still counting on a strong center, a strong government, and the ministers. The report from the government is a confirmation of this. The life of the command-administrative system will be prolonged by a minimum of another two-three years or perhaps more. I hope that then the initial conditions will be more favorable for its dismantling, but then will it not be necessary to travel that same corridor of the transition period in the fire, as one of the deputies who spoke yesterday figuratively put it?

It is a fact that the government is trying to retain the command-administrative system—a network of ministers who are powerless to do anything. As early as July Leonid Ivanovich Abalkin said that he had provisions

concerning the ministries but we have not seen them. Apparently the government and the ministers are resolutely against their new role under the conditions of a market economy because then they will not be in command.

The government is not against granting real economic independence to the union republics. This is corroborated by the haste with which they prepared the general principles for leadership of the economy and the social sphere of the union republics in counterbalance to the Baltic variant of economic independence. This is confirmed by the fact that during the month from October through November this draft law was presented at the session twice. True, the session rejected it twice, again because of a desire to somehow prevent the passage of draft law submitted by the Baltic republics or to grant limited independence. In this respect the government has had a certain amount of success.

We must be grateful to the leader of our party and country for the fact that from the very beginning he pointed out the main paths of perestroyka and the main barriers it would come up against. There are old thinking, stereotypes, and dogmas that have outlived their time. He called for all of us to master the modern new political and economic thinking. This new thinking, thank God, is being confirmed in the world arena. But what about inside the country? What is the obstacle on the path of our forward movement now—a shortage of food or the latest technology? The old thinking. It is the old thinking and the outdated dogma that have determined the shortage of both food and technical equipment. They have apparently determined our backwardness, perhaps forever, by an entire technological era, as M.S. Gorbachev has mentioned.

The old thinking holds sway over us. How can we allow private ownership in the country? How? Where is socialism? Should we starve so that it will be called socialism, a socialist hunger? Shall we starve socialistically? Was this question asked, did they ask the people about allowing private ownership?

A couple of days ago a Komsomol [All-Union Leninist Communist Youth League] newspaper cited information to the effect that the people will allow the existence of this kind of property. Here came the discussion: "The worse for the people," "People, you are wrong."

Another stereotype: Only kolkhozes and sovkhozes are able to provide the country with food. We have been hearing this voice from the twenties to this very day. We were speaking about it yesterday. Of the hundreds of billions—I have not totaled up the latest data—probably three billion were thrown into agriculture. And the return? There was none. An immense country with extremely immense resources, both natural and human, and we cannot feed ourselves. What are we talking about; what we cannot provide? Incidentally, in the report the purchase of food abroad was named as one of the thousands of reasons for our foreign indebtedness. We read that the task is to increase the effectiveness of agriculture and agricultural production so as to begin in 1991 to gradually reduce imports. The government is confident that we will increase the effectiveness of agriculture. If we reduce losses by several percentage points. If! But the most wasteful farming in the world occurs in our country. So it is not a matter of people. This is something else. They should have looked at this and said something.

The next stereotype is to allow republic ownership. But what about the unity and integrity of our economy? How can we provide for unity and integrity of the country's economy without union ownership? As if we have that integrity now instead of a conglomerate of ministries torn apart by narrow departmental interests which cause an immense amount of harm to the country. This is illusory unity, and real unity of the economy can be provided only by the formation of an All-Union market.

Further, allow independence of the union republics? But what about our power, meaning a unitary state? A unitary state has led to a sharp aggravation of economic, ecological, social, demographic, and interethnic problems in the country. In spite of this the demand for independence is encountering serious resistance.

We speak about independence and autonomy, after all it is the end of the 20th century. Even in the countries of Africa, among peoples who have never had statehood and until quite recently have been living in jungles—even they have statehood. Our republics have an age-old, thousand-year history of statehood. But as soon as it comes to independence and autonomy, immediately there is resolute resistance to this.

We must change our thinking. After that, we must draw up all kinds of programs taking the new realities into account. I can vote for the government program if it wants it and wants it very much but I do not think this will help bring the economy out of its crisis. It does not seem to me that this is the road, as they say, that will lead to the temple. Thankyou for your attention. (Applause). [passage ommitted]

N.I. Travkin: Comrade people's deputies! The head of government stated yesterday once again: "There is no alternative to the economic reform." Meanwhile, we are not implementing the reform. All along, some present-day difficulties interfere with this, as if all these difficulties and complications are going to disappear tomorrow.

I see the measures proposed by the government as a substantial revision of the resolutions of the First Congress of USSR People's Deputies, not in the sense of the assortment of measures (all of them are found there) but in the sense of putting these measures in place and of consistency.

The radical economic reform toward which the First Congress pointed the country is losing its radicalism. The reform is once again beginning to look like an unhurried patching of holes in our economy.

What prompts this conclusion? When we operate in terms of large-scale programs and patterns it looks just great. However, economic efficiency is the ultimate criterion for any program or pattern. If there is no economic effect, all patterns are a waste of time.

What kind of effect does the government program presuppose? Increasing the per capita real income toward the end of the 13th Five-Year Plan by 17 percent, that is, by 3.4 percent a year. This is all that radicalism is good for. These are the rates of the years of stagnation. If we take into account that perestroyka is not just beginning, that it has been under way for 5 years now, that by 1995 it will be 10 years old, that the standard of living has not increased in these 5 years, then perestroyka turns into a 10-year continuation of stagnation in the economy and the standard of living. These rates of growth will hardly inspire anybody to work normally, work well. The point here is not that we need to promise nice numbers. It is just that it makes no sense to develop cumbersome programs in as many as three versions for scanty objectives. The economy rolled on at such rates even under the administrative-command arrangement.

The causes are clear. Massive pressure by organized forces opposing perestroyka was brought to bear on the government. These forces rallied at the Leningrad meeting. It could be that the December (1989) CPSU Central Committee Plenum applied some pressure. Despite being a communist with 20 years' tenure, I do not know who said what there, but the slowdown is obvious.

Two months ago, the government offered us a program of more specific, more revolutionary, and more consistent transformations. It envisaged operating in 1990 with the laws on property, on land, on leasing, and so on, having been passed and that in 1990 the subsidization of resourceless enterprises in industry and construction is to be discontinued.

In 1991, the same action was to be carried out in rural areas. Initial steps in wholesale trade were planned for 1990. In the report by Nikolay Ivanovich Ryzhkov, all of these steps are moved one year to the right, one year at a minimum. In keeping with the program of the USSR Supreme Soviet Committee for the Issues of the Economic Reform, the agrarian sector in the economy was to amount to 30 percent in 1993, and in keeping with the program of Nikolay Ivanovich—20 percent, and then as late as 1995. I believe that we cannot adopt this overcautious program. We should propose that the government take into account the initial planks. This is point one.

Secondly, to my mind, there is a substantial flaw in both of these programs: The desire to restore equilibrium in the economy becomes an end unto itself. Still new sources for replenishing the budget are feverishly sought and, of course, first of all through direct and indirect taxes. Since the individual is the focus of all things in keeping with our ideology he was, of course, the one to become the main object of taxation. Taxes on the increment in the wage fund, progressive income taxes, double taxation of wages under the second pattern of economic accountability, increased turnover taxes, taxes on transportation vehicles—this is far from a complete list of the taxation novelties of the Ministry of Finance. That is to say, all novelties are aimed at shearing the producer as close to the body as possible, but the fleece does not manage to grow back by now. If we add to this 30 percent in increased taxes (precisely taxes!) on social insurance it becomes clear at the expense of what, or rather whom, we are trying to revitalize our economy.

On the one hand, we proclaim that "The goal is to increase the standard of living." On the other hand, we depress through taxes the standard of consumption which is extremely low to begin with. It makes no sense to blame the Ministry of Finance in this instance. Collecting money is its function, so it collects money. It would be a different matter if the task set for it were to apply financial, credit, and tax arrangements in order to stimulate the effective development of our economy. However, nobody has set such a task for the Ministry of Finance or changed its function.

Certainly, equilibrium in the economy can be attained in this manner. In general, it is no big deal to balance the economy in a planned regime: Just take the money away, and that is it. They are proposing a monetary reform. The budget can be balanced in this manner, but the economy cannot be restored. The more that is taken away from the producer the worse he works; the higher the tax rate the less the state budget will take in in absolute numbers. Haven't we been burned yet?

Our tax system and in particular the draft law submitted for consideration to the USSR Supreme Soviet block the main source of financing for state and social programs, labor productivity, and snuff out the desire to work. They will fleece the country, fleece it, and make everyone equal to everyone else.

Here is the last example—the kulak expropriation of construction cooperatives operating on state cost estimates. The rate of 25 percent of profits set by the Councils of Ministers of Russia and a number of other republics is destroying these cooperatives one by one. The expropriation of the kulaks is happening for the second time in the memory of one generation. People will not believe it the third time around.

We killed off industrious people as a genetic type in the 1930's and 1940's. Now the so-called "slaughter" of the last, individual industrious comrades is under way. Merely a few have made it out of the killing zone and beyond the pennants: Fedorov, Kabaidze... However, these few people will not rescue our society. After all, only the presence of a sufficient number of industrious people is able to rescue both the economy and society; that much is clear. It is unclear what the comrades in the offices on high hope for while setting such tax rates. Most likely, they do it deliberately, as deliberately as in his

time former Minister of Non-Ferrous Metallurgy Durasov signed off on the destruction of the Pechora Labor Association with the tacit consent of the former First Secretary of the Komi Oblast CPSU Committee Melnikov. Not only the enterprises where labor productivity was several times higher than at similar state enterprises—several times, and not higher by some puny percentage which the 13th Five-Year Plan is setting for us—were destroyed! They also destroyed the only school in the country for training enterprising cadres. Now we are training them for hard currency under the name of "managers." Indeed, we should recall here the cat Matroskin from Prostokvashin saying to the letter carrier Pechkin: "We've got them funds, it's wisdom we ain't got." (Applause)

They did in the labor association, the school for cadres. The industry and the country lost about a ton of gold a year, the republic lost dozens of kilometers of roads not built, the state lost tens of millions of rubles. If somebody steals shoes worth R30 [rubles] from a shop, the sentence is three years. Minister Durasov became the first deputy chairman of the USSR Gosplan. Melnikov became the USSR minister of the timber industry. Certainly, characters like this will argue in favor of the advantages of all-state property until their dying day because nobody will hold them accountable for it: Nobody is there to do it.

Going back to the individual's interest in increasing labor productivity, it would be feasible to proceed from the future Law on the Unified System of Taxation rather than from the draft Law on Property as the main link of the economic reform. We should view this law as a contract between man and society, between the producer and the state.

How much is left at the bottom, and how much is taken away by the top? How much does the state take? In the process, there must be strictest accountability to the Supreme Soviet for the part taken by the state. What are you spending it for? For imperial ambitions and river diversions, or for medical care and health? This plank, this borderline between the shares of the top and the bottom should be stable, it should not change all the time. In a strategic outlook, it should go down; a greater share of income should be left to the producer. This is the thrust of economic accountability and self-financing, including in the regions. It is difficult and, perhaps, impossible to determine the optimal setting of this plank. However, there is the practice of the world and the experience of economically developed countries. Over there, not more than one-half is taken away. In our country, it has hit 70 plus percent, and with the hand going off the scale like that the laws on property, leasing, and the rest of them will hardly work. What do I need property for if you are going to take it all away from me tomorrow?

Certainly, we will not be able to reach the world standard right away, and let us not aim at that. However, let us try and reduce this rate of appropriation to at least 60 percent, and leave about 40 percent to the producer. Increasing the share of consumption will reinforce the belief of the people in perestroyka, will make economic transformations stable. Certainly, increasing the share of consumption also means increasing wages. This, however, does not mean increasing inflation; it is just that the entire economic reform has to be originated from here. Corresponding steps should reduce the budget deficit and stabilize the ruble. We should review the state programs once again and postpone them if they are not aimed at making the life of people easier. We should stop giving aid to the developing countries, and bring back these billions, plus other measures. We should follow the avenue which in the Abalkin program was called the withdrawal of the state from the economy, that is, lease enterprises and bring ourselves to have small enterprises bought out. There is nothing scary about it. Garden and second-home plots should also be sold or, at any rate, leased. However, the money raised should be burned in order to stabilize the ruble. This is not a retreat from socialism. A retreat from socialism is when the heirs of generals have second-home compounds 1 hectare large in the vicinity of Moscow dating back to the times of Stalin. This is not socialism.

We should bring ourselves to take these steps. We should take them more resolutely, renounce the hypocritical [view] that all-state ownership is beneficial. No, this property belongs to nobody, and it is very convenient to steal it. At the bottom, there are petty pilferers; in the middle, there is the mafia; at the top, there is corruption. Anyone who is into it can get his cut. (Applause). We should not frighten our society by underground millionaires who will buy up all the plants of Leningrad tomorrow. First of all, legislative requirements for providing a declaration on personal income need to be complied with. Secondly, I would be pleased to see a shadow economy operator-millionaire-philantrope who buys a plant collapsing in the state sector in order to cover its losses going into millions from tomorrow. However, he will hardly be found. If a collective buys this plant out on credit and takes it from unprofitable to profitable this is advantageous for all of society. Let us give to the retirees and the handicapped what yesterday used to be subsidies.

The year 1990 has been lost for the radical economic reform. However, the congress should give the Supreme Soviet an assignment to speed up adopting the main bloc of laws as much as possible. In this case, we will not waste the year 1990 as preparatory for the build-up of reforms in the year 1991. Let us make up our mind, because meanwhile functionaries come back from tours "over there," and spend two months salivating over how splendid everything is over there. Then they step onto the rostrum and say: We will not give up principles and ideals. Let us not give them up. However, in that case Comrade Nenashev should stop showing provincial America on Central TV so that our society would not go wild. We see how over there they inject a pig with a disposable syringe, and we feel rotten. Let us become

realistic. I was intercepted by a colleague of mine, and he asked me: Why did everything work in foreign policy? Because we renounced class priorities and introduced new thinking. New thinking in domestic policy, in economic policy amounts to acknowledging that the formula goods-money-goods is not a capitalist trick but a general human value. If this new thinking is present we will get out of the quandary. (Applause). [passage omitted]

Major General M.S. Surkov: Esteemed comrade deputies! I am profoundly convinced that we have not touched on one of the greatest tragedies of our country, the earthquake in Armenia, at the First Congress of USSR People's Deputies or at the First and Second Sessions of the Supreme Soviet. It has been a year since the earthquake but the process of restoration is obviously developing badly. The Commission of the CPSU Central Committee Politburo did a lot, but it could not do everything. There are very many reasons for that: The economic blockade, the lack of work planning, and the delayed preparation of documentation. Some of the workers are abandoning their jobs, the plans fail, and the people continue to suffer due to the blockade. If I were to give an objective report, the plan of work in the earthquake zone is only fulfilled by military construction personnel who have already commissioned more than 1,000 apartments this year and two schools in which children are studying. As far as the rest goes... In, say, Leninakan by the day of my departure one house with 15 apartments had been commissioned out of the planned 800,000 square meters of housing. There is no housing, no schools, no day-care centers, the situation with lighting is bad, and there are a number of other problems.

Representatives of a number of union republics are working in the earthquake zone. I believe that the issue of restoration work in Armenia should have been reflected in the report by the chairman of the USSR Council of Ministers. In view of the fact that representatives of a number of union republics are working there, I propose to set up a permanently operating group of people's deputies which would stay in touch with people working in the earthquake zone, be aware of their opinions, and influence the state of affairs. I would also ask Nikolay Ivanovich Ryzhkov to receive deputies from the earthquake zone.

It seems to me that on the whole the report by the Soviet Government contains many sound and specific proposals; I approve of it. I am convinced that plan fulfillment will depend to a great degree on the political situation in our country. I believe that we cannot expect to be successful if in the future as well we are not certain that labor discipline is stable.

I will take the liberty of giving just one example. At the First Congress, we resolved to reduce defense expenditures by R10 billion. According to my data, by now the strike movement alone has caused billions of rubles to be spent to make up the losses. Who has benefited from that? Where has the money gone which neither the defense forces nor the people have received? We, the military, are prepared for the further reduction of defense expenditures if this is what is necessary for the people. However, we very much want to believe that this money will go to the people to improve their lives and existence rather than to cover losses and debts which appear on heavens know whose initiative.

At present, we have in our society a large number of public and informal organizations. Many of them are officially recognized, and actually aid perestroyka. However, I am profoundly convinced that it is time for us to create a law on informal organizations. Why does the responsibility for everything—the death of people and great financial losses—devolve on the state alone and nobody else? We are talking about creating a law-governed state; in such a state, the individual, the social organization, and the state itself should be equal before the law.

The next problem. I would like to bring up some of the issues of the life of the Armed Forces. It is not easy for us, military deputies. We represent the interests of both military and civilian voters. However, here is the first point. For some reason, the conviction is constantly voiced in this auditorium that we do not have problems.

I must tell you that at present the pay of officers is extremely low. To be sure, a decision to increase it by R50 has been made.

Housing is the most acute problem. Our wives have virtually nowhere to work because in all union republics a knowledge of the native language is required. They have no work tenure. It is very difficult for children because instruction in schools is also offered in the national languages. These problems also need to be solved.

The army personnel are prepared to serve and to do their duty. We would only ask that they take the necessary care of us rather than just criticize us through the mass media.

I will take the liberty to dwell on one more point. It is embarrassing to speak about this, but for some reason the word "general" at this congress has come to sound as something of an insult. There are "murderer-generals," and "wedding-party generals," you see?

Who are we, the generals? Where did we come from?

I am a peasant from the vicinity of Kaluga, I can give you the address to verify that. All of the generals present here whom I know have worker and peasant backgrounds. Each one of us has served a minimum of 25 to 30 years in the Soviet Army. Prior to this, all of us worked at plants and construction sites. So, who do we represent here at present?

Not one general has said anything about who makes what money. Meanwhile, the speakers frequently say "general-like earnings," "general-class pay," "generals' dachas." I

am stating for you officially—my pay of a general does not exceed the earnings of a cooperative member in one week. All that we, the generals represented here, have is state-owned—apartments, cars, and so on.

As of today, I have moved 11 times with my family. My daughter went to nine schools, and is now in her second college. Besides, all of us are deputies the same as you are. If we are deputies then let us respect each other. Why should we be rebuked all the time for our position in the service? We like and respect the people. We are on the side of the people. We have no other orientation.

Here is one more problem. The Armed Forces are being reduced, and many hundreds of thousands of servicemen are being retired. We would like the government to have a more precise program for their settlement and job placement.

Finally, I cannot but refer to the level of competence. For example, our respected deputies step up and say that the army needs to be reduced by so much, and there should be so many generals. I cannot discuss, say, the issues of health care in detail at present; all I know is where to stick the thermometer. I would like to see a similar professional treatment of the army when we are going to discuss it.

We are not strangers to each other, and let us not oppose each other. Otherwise, it gets to be ridiculous: During the proceedings of the First Congress, a TV correspondent went out into the street and interviewed the first passer-by he saw: "Is 70 billion enough for our defense?", and the passer-by said: "We can even take some more away." Is this a statesmanlike approach to the matter?

I would ask, comrades, for us deputies not to be split into civilians and military. Let us unite in order to switch from words to specific deeds, so that we will not be ashamed to look our voters in the eye.

Thank you for your attention. [passage omitted]

A.M. Yemelyanov: This is what I would like to begin with. The first two days of proceedings of our congress do not make many voters enthusiastic. They believe that for now the congress is proceeding at a mediocre, non-descript level, and is inferior in this regard not only to the First Congress of People's Deputies but even the Supreme Soviet session.

I am saying this so that we will still try not to disappoint the voters at present, in the sections, and in the coming days because this may influence their attitude toward the forthcoming election campaign and their political activity as a whole.

Now let us talk business. Of course, there are very many specific ways to overcome the current economic crisis in our country. You cannot mention them all. However, their practical use and implementation hinge, to my mind, on the answer to the main question: Can we cure the disease without having diagnosed it correctly? Why have we arrived at this kind of deterioration in the economic and, consequently, social situation in our country as a result of 4.5 years of perestroyka? We should discuss this, all the more so because the opinion already exists that supposedly the current situation is objectively due to both the difficult heritage which the current leadership received and the fact that crucial revolutionary periods, which is what our perestroyka is, have entailed such dislocations and unavoidable costs always or almost always throughout history.

While acknowledging these two factors, I would like to stress my opinion: The economic and social policy of the first years of perestroyka is still the main cause of the current situation. This has already been mentioned here. If we are to give a general description of its shortcomings, we, putting it mildly, virtually did not apply new thinking in domestic policy. This was manifested by us always undertaking the resolution of issues with much delay, when the train has already left or begun moving. When we finally embarked on solving problems we solved them extremely inconsistently, in a half-way manner, and for this reason did not secure the results needed.

I am not referring to this only for the sake of a cognitive analysis of the past but because the same old song sounds in the plan submitted to us and because we will not be able to accomplish any breakthrough in the 13th Five-Year Plan either without taking this into account.

Inconsistency and delays in solving pressing problems are evident in everything now. I would begin with the general part, with evaluating the situation in our country. Do you remember how many years we lived under the sign of the so-called pre-crisis situation in the country? I do not know who thought up this term. After all, the word "crisis" was entirely purged from circulation as far as our country was concerned. This means that we borrowed it from a bourgeois society. If we keep to the logic, it turns out that in 1985 the situation in our country was better than that of capitalists at the time we called a crisis.

Comrades, the situation which occurs in civilized capitalist countries during a crisis would do nicely for us! First of all, because they have a crisis of overproduction, and in our country it is something else. Secondly, because over there this is a certain phase of cyclical development which is definitely followed by a pick-up and subsequent growth. Thirdly, because over there they have a built-in mechanism which regularly extricates them from this situation. We have neither. After all, this is not just an academic evaluation; it prompted conclusions for virtually all of our policy, and they are an influence and a factor even now.

What are the conclusions? These are first of all the breathtaking plans. I do not mean just the current five-year plan which has virtually failed. However, let us not forget that we have plans for 15 years, until the year

2000, the targets of which largely resemble the well-known Khrushchev 20-year plan for building communism. Now we no longer talk about it or mention it. This is number one.

Secondly, such evaluations of the status brought about a complete lack of openness to any advise and critical observations. After all, it is only now that our leaders have become democratic and sit next to us. Let us recall the recent past, even the 19th Party Conference. You would recall that Leonid Ivanovich Abalkin made a speech there. I believe that he pointed out some shortcomings in our economic policy as recently as under perestroyka in terms understandable to schoolchildren and students. Look how the leaders from the party echelon were up in arms against him then! I think that, if memory serves, First Secretary of the Central Committee of the Communist Party of Belorussia Comrade Sokolov led, and everyone else joined in. After all, they keep silent about it now. Perhaps not one of them has offered his apologies on this account. I stress that such evaluations are a factor at present as well.

We should evaluate the current plan submitted to us from this point of view. I believe that the same shortcomings are manifested in it which we had earlier in both our structural policy and the substantiation of the economic reform.

As I see it, there is little new in the extensive material presented to us and the report by Nikolay Ivanovich Ryzhkov at the Congress itself. Such materials could have been brought up at the very beginning of perestroyka, several years ago. At any rate, there are many repetitions in it of everything that went on here during the sessions of the Supreme Soviet and during the discussion of the plan for 1990.

I believe that since we especially placed the issue of the status of the economy on the agenda of the Congress, we should emphasize critical points and emphasize the problems, aspects, and ways which did not exist before and which would indeed indicate how we are to act. This is point one.

Second, the statistics which are given, the numbers for both the three versions and the specific quantitative statements—these numbers still have to be accepted on faith, as was the case before. Ideally, we should begin with the factors, we should show which factor will generate what, and then sum up overall results. As of now, I cannot firmly state to anyone that this plan is substantiated, and the statistics are precise.

Certainly, the attempt to distinguish these three variants is noteworthy. I believe this to be positive. However, I would like to stress something else, so that another aspect would also be reflected in the subsequently reworked plan for the 13th five-year period. It is necessary to first of all distinguish reserves which are close to the surface, which can be used right now, and those which scientific-technical progress needs to be put to work to tap, as well as many other things.

What would I like to point up in this context? First of all, restructuring our investment policy. I believe that during these months our leaders could precisely take stock of all "great construction projects" and say how many billions of rubles can be channeled right now into other uses and what effect it is going to produce. This is point one.

Secondly, there is the issue of reducing losses.

Thirdly, there is the restructuring of the export and import policy of our state, especially in the sphere of foodstuffs. After all, comrades, it is not just shameful for a great power, but it is a colossal economic problem: We purchase that much grain, but waste even more of our own. After all, it is a shame: We export that much fuel, and we do not have enough for ourselves to bring in the crop raised. Many other problems are to be solved along these lines.

I believe that a more consistent approach to implementing the economic reform could be manifested. Indeed, are we giving independence to enterprises? Why do we get into situations like that which emerged in the summer with the miners of the Kuzbass? Recall the demands of miners—to give them the rights which have been granted by the clipped Law on the State Enterprise. Think of it! This means that even these restricted rights did not apply to mines but only to associations; thus, a mine was demoted to the rank of brigades, factory shops, kolkhozes, and sovkhozes. What scientific approaches can there be?

At present and in the 13th Five-Year Plan alike, we need first of all to tap the reserves which are close to the surface while at the same time solving more profound problems.

In this reference, I would like to refer to a couple more issues which have a bearing on economics. One issue is like this: I believe that the current difficult situation in the market of consumer goods is associated not only with the fact that we do not produce enough but largely with the impact of organized sabotage. Since there is sabotage we should consider which social forces are behind it, to whose advantage it is to undermine current policies, promote and reinforce the dissatisfaction of the populace with the leadership. As I see it, there are two forces—the criminal world which dates back to the past and is now being reborn, and the strata of our leading administrative apparatus which are threatened by the enhancement of perestroyka. We should mobilize all our economic and law-enforcement forces in order to fight this.

Finally, such a period is apparently coming about now when both perestroyka and its originators have to be treated carefully. Criticism of the leadership from both the left and the right is now mounting in the country against the background of shortcomings on the whole. Some accuse the leadership of being insufficiently radical while others say the opposite: "Look what the results of democratization are." Our task, including that of radicals if we are to use this term, is not to join the

conservatives in our criticism of the leadership, not to give them an extra opportunity to turn back toward the past. However, to this end both the party and the leadership have to draw support from all social forces.

In summation, I would like to stress just one thesis. I believe that the current leadership greatly reduces its prestige by maintaining that there is no other organizing force in our society except for the party, that the latter alone is capable of overcoming our current critical condition. We know from practice: When a person believes that he alone is capable of something—what view do they take of this man? The same applies to the party. Why can't others do it, say, the deputy corps? Is this not a force? This means belittling and underestimating other social forces.

I am wrapping up. We need to take all of this into account in the course of perestroyka of both the economic policy and the party-political system.

[passage omitted]

Debate on Gdlyan Commission Report

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[Report on debate on Gdlyan Commission report at Second USSR Congress of People's Deputies in Kremlin Palace of Congresses on 23 December]

[Excerpts]

Twentieth Meeting

The Kremlin Palace of Congresses. 23 December 1989. 1600

First Deputy Chairman of the USSR Supreme Soviet A.I. Lukyanov is in the chair.

Chairman. [passage omitted] The next item is a report by the commission for verifying the materials associated with the operation of the investigative group of the USSR Procuracy headed by T.Kh. Gdlyan which was set up at the First Congress of People's Deputies. [passage omitted] Comrade deputies, we are beginning the discussion of this issue, as has been arranged. I can tell you that we have received eight notes from the deputies. They ask that the floor be given to the independent observer-prosecutor who was nominated at the request of the commission, Comrade Eduard Emilyevich Martinson.

I will say right away that if we are going to listen to all members of the commission on whose behalf Comrade Yarin spoke—all of them have signed this document—we will be considering this issue until nightfall.

Comrade Martinson is given the floor.

E.E. Martinson. Comrade people's deputies! In July of this year, I was invited from the city of Riga to a regular meeting of the commission which you elected at the First Congress. I offered information on my biography, and pointed out in the process that between 1947 and 26 May 1989 I worked in the organs of military and territorial procuracy. Out of this, I worked as an investigator for 20 years, and for the remaining 20 years as a prosecutor overseeing or supervising investigations. Subsequently, I was nominated to this commission, attached to it as an observer-prosecutor. On the instructions of the commission, I had to familiarize myself at the USSR Procuracy with cases which were handled by the employees of the division of investigations and pertained to the operation of the investigative group of the USSR Procuracy which was headed by the investigator for especially significant cases, Telman Khorenovich Gdlyan.

Comrades, I am not going to repeat what co-chairman of the commission Comrade Yarin has already said here. Comrades, I will only say briefly that the group of investigators headed by Comrade Gdlyan definitely did a very large, complex, and painstaking job. They definitely spent much energy and labor doing this job.

Unfortunately, this positive and productive work was not always accompanied by compliance with the norms of the laws on criminal procedure. After all, we know that the organs of procuracy, justice, and law enforcement uphold the law, the rights and interests of citizens. I believe that in violating the rights and infringing upon the personal rights of citizens the employees of these law enforcement organs also commit a crime because it is doubly criminal to combat crime in a criminal manner.

I familiarized myself with materials on the violations of socialist law which were allowed to occur during the investigation of criminal cases by the group. Uzbekistan deputies said that they have a lot of material to this effect. I would like to say that this case, which includes over 50 volumes, indeed contains much information to the effect that violations of socialist law did occur.

On 25 May 1989, the USSR Procuracy initiated a criminal case concerning this fact. The case was not initiated against some individual but in conjunction with the facts of violations of the socialist law, that is, instances of exceeding the rights and authority and abuse of their official position by the investigators of the group. The investigation process will determine who committed violations and to what degree, and which violations were allowed to happen in the course of investigating this case.

Comrades, in generalizing briefly what Comrade Yarin has brought to your attention here, I would only like to say that, to my mind, we cannot by any means refer to some kind of a juridical mistake if we take together such measures as illegal arrests and detentions of citizens from three days to seven months (so far the preliminary investigation organs have dropped criminal charges for the lack of criminal behavior in the cases of 50 persons out of 100, and the investigation is continuing). It is another matter what the motives for this were. The

investigation should come up with an answer to this question and determine the role of each employee who took part in this case.

Comrades, in all of this we do not need to act as if the investigators should be responsible for everything. Not at all! Indeed, Article 127 Part 1 of the RSFSR [Russian Soviet Federated Socialist Republic] Criminal Procedure Code says that an investigator makes all decisions independently and is fully responsible for them. However, it also says that this applies in cases when the consent of a prosecutor is not required.

The complaints which provided the pretext and basis for the procuracy organs to initiate a criminal case contained references to confessions being extracted by physical violence. This needs to be proven, comrades; at present, we cannot maintain this by any means. However, if we look directly at the investigative documents compiled by the employees of this investigative group they indicate that violations of the law on criminal procedure did occur.

Say, resolutions on detentions and arrests and search and confiscation warrants were drawn up by the investigators of this investigative group; there are specific signatures, specific dates. What kind of violations were there judging by these documents? I have already mentioned—illegal arrests, performance of investigative activities, including interrogations, at night, and, as a result, Mirzabayev's suicide. After the completion of an interrogation he was not allowed to go home but was left at administrative premises where he was interrogated. He jumped out of the second floor window.

Furthermore, it was said that the persons arrested were kept in the temporary isolation cell for between 3 and 20 days. Apparently, there is nothing special about it—the person was arrested, arrested by virtue of a warrant. It is another matter that it was illegal, but at the time there was a warrant. However, comrades, detention in a temporary isolation cell is envisaged for up to 3 days. Why? Because people are kept there without bed linens, without visits to the bath, and with restricted nourishment. Meanwhile, people were kept there for up to 20 days.

For now, I have nothing to add to what Comrade Yarin has said. The investigation will draw its conclusions. Comrades, I would only like to dwell on one issue. I also checked the circumstances of the supervision of this case by a prosecutor. I would like to declare in this forum: Appropriate supervision of the investigation of this case by a prosecutor was definitely lacking. Had there been appropriate supervision by a prosecutor, all violations and abuses could have been revealed and averted in a timely manner, in the very bud, at the very beginning of the investigation of the criminal case. Comrade Gdlyan took over this case on 1 September 1983, and supervisory cases (there are several volumes of them; I have inspected them) contain complaints, statements on violations of laws, including the arrest of a deputy without the consent of the relevant local soviet, beginning in December 1983.

Besides, comrades, I believe that we should dwell on the following issue as well. The very structure of the apparatus of the investigative division of the USSR Procuracy became one of the causes of what the organs of preliminary investigations are sorting out now. After all, investigators, senior investigators, and investigators for especially significant cases reported to its chief. Besides, a group of prosecutors who supervised the investigation also reported to him. These two circumstances are not compatible in any way.

By now, in the process of the commission's work, these problems have been eliminated, and prosecutorial supervision has been removed from the investigative division.

Besides, comrades, I agree with the statements by deputies to the effect that the investigative apparatus should be detached as an independent structural subdivision. It should be removed from the organs of the procuracy and the organs of internal affairs. That is to say, the prosecutor should provide oversight, proper oversight, of the investigation, and the organs of internal affairs should be involved in looking for criminals and defending public order.

Besides, comrade deputies, I believe that in the process of further work you should touch on one more issue. As I see it, there are some contradictions in the law due to which the investigators and inquiry organs frequently absolve people of criminal responsibility on their own. Until 1960, the law provided that only a court may determine the guilt of committing a particular crime. Beginning 1 January 1960, it became possible to release a person on bail, to the custody of the commissions for the cases of minors, by a resolution of an investigator or an inquiry organ, by an order of the prosecutor. Comrades, in this case we acknowledge that the person is guilty, that is, the inquiry organs or the prosecutor determine the guilt of a particular person.

In summation, I would like to say the following: We cannot refer by any means to some "personal" materials apart from the ones which are in the criminal case file. There is just a single piece of testimony offered by someone, sometime, and an absolutely uninvestigated piece at that, supported by nothing. Meanwhile, it is made into a case and, proceeding from it, they declare that a man has committed a crime, that he has taken bribes.

I believe that for a lawyer "from the outside" it would be unethical, and this is why I do not want to talk at this point about which investigators and prosecutor staffers are guilty of the violations committed while investigating the criminal case of bribery in Uzbekistan and to what degree. I believe that the investigation should come up with an answer to this question. Employees of the

USSR Procuracy have assured that they expect to complete their investigation of that case in approximately January-February 1990. Then we will receive a specific answer as to who is guilty of what. This is all I have to say. Thank you for your attention.

Chairman. Are there questions for Prosecutor Martinson? Just a minute. Comrade Sorokin, please, you are a member of the commission. Wait, comrades, let us agree on something. Deputy Sorokin signed the declaration read by Comrade Yarin along with other members of the commission. We have listened to the commission. Let us hear other points of view. I ask that Deputy Tutov ask a question. Please.

N.D. Tutov. Member of the USSR Supreme Soviet Committee for the Issues of Defense and State Security (Orenburg Rural Territorial Electoral District, Orenburg Oblast). Thank you. In front of the microphone?

Chairman. Yes, the second microphone, it is open.

N.D. Tutov. I have a short question. Please, tell us whether you are aware that, following the recall of the investigative group headed by Gdlyan and Ivanov by the USSR Procuracy, the files of all cases which Gdlyan and Ivanov handled were removed from the safe, and no inventory was taken? How does that figure in with our laws?

E.E. Martinson. I understand your question. Comrades, in the materials of the criminal case there is a protocol on the transfer of the materials of the criminal case by... I do not remember the name offhand, but it is mentioned in the memo which I submitted to the commission. There is the name of a particular person who was the chief of headquarters, and a protocol mentioning which materials of criminal cases handled by the group were being transferred to the newly appointed group representative. There is a protocol of this nature in the case file.

Chairman. Comrade Stankevich, please.

S.B. Stankevich. I would like to ask the following question. In foreign countries, a procedure is practiced whereby a parliamentary investigative commission and an independent prosecutor, who conducts the investigation in the procedural aspect, work simultaneously. In particular, he can additionally investigate the facts which the parliamentary commission cannot investigate due to its status. Don't you think that, since we have gone this classical route and an independent prosecutor has been appointed, that in this case it is necessary to investigate the very fact which thus far is based on a single piece of testimony in order to find out whether we can trust this single piece of testimony or not? Could it be worthwhile to entrust this to the independent prosecutor?

E.E. Martinson. I understand, and I can respond. The report by Comrade Yarin indicated that testimony concerning Comrade Ligachev was given by former First Secretary of the Central Committee of the Communist Party of Uzbekistan Usmankhodzhayev at an interrogation. The commission instructed me to familiarize myself with the materials of the criminal case pertaining to this issue. So, I will say bluntly that there is no such case. There is the testimony by Usmankhodzhayev that he supposedly gave R30,000 [rubles] on each of two occasions (this has already been reported to the congress), and that's it. There are no more data on this issue in the materials of the criminal case which was investigated by the investigative group. Only later, when the case was reassigned to another group, did employees of the procuracy interrogate several persons in conjunction with accusations leveled at Comrade Ligachev.

You have been talking about an investigation here. However, this very Usmankhodzhayev retracted this testimony some time later. Therefore, there are no more data of any kind in the case which show that this fact has occurred.

If we are to discuss it in broader terms, we should say that giving and receiving bribes is a crime which is hard to prove because in most cases it is committed one on one. This is why if a person testifies that a particular fact, event, or crime has occurred this testimony is significant. After all, at times the investigator has no other way to solve the crime. However, everything in the testimony should be specified and small details should be provided. Meanwhile, there is testimony in the case that on a particular date he gave R30,000 in Tashkent, and on a particular date R30,000 in Moscow... Comrades, you would understand yourselves that this is no testimony. This is point one. Secondly, we should proceed from the fact that it is necessary to evaluate particular testimony on the basis of the entirety of all materials which are found in the criminal case file. This is why I did not examine just these five pieces of testimony concerning Comrade Ligachev. I examined four volumes of testimony from Usmankhodzhayev alone. I may tell you that Usmankhodzhayev referred in his testimony to a very great number of people. In all of that, during an interrogation conducted by Comrade Ivanov, Usmankhodzhayev even gave him a list in which he indicated the names of 15 ranking functionaries of Uzbekistan. At the next interrogation which was once again conducted by Comrade Ivanov he retracted this. Nobody touched on these issues anymore or investigated them. I am saying, comrades, that there was a lot of testimony, and not just concerning one specific person but concerning many persons. However, this is absolutely not supported by anything in the materials of the criminal case.

Chairman. This is clear. Deputy Yusupov, please.

From the floor. Comrade prosecutor, a stenographic record of the First Congress of People's Deputies has been published which says that three members of the commission were recommended by Ivanov and Gdlyan. We should communicate to the congress who they are. Since the people were recommended by Gdlyan, could they be objective and could they facilitate an objective

examination of the case? This is the first question... At present, many people are being let out of prisons. There are already several thousand of them. Many of them have been released with the wording—for the lack of criminal conduct in actions. These people have become invalids, cripples. Did the commission have an opportunity to go to Uzbekistan and talk to these people? This is the second question.

E.E. Martinson. I believe that this is not the time to name names. For now, we can talk about the facts which are being investigated or are available in some materials of the criminal case. However, we cannot by any means start naming names at this point. Now about confiscated material valuables. It has already been mentioned here that money and valuables worth almost R35 million were confiscated, out of which 15 million were confiscated by the employees of the Committee for State Security in four months, whereas the investigative group numbering 200 people confiscated R20 million in six years. When an analysis of the valuables confiscated and the amounts of bribes was done later it turned out that in the charges only about one-quarter of the sums confiscated from particular persons was produced. Definitely, this issue also needs to be sorted out in the course of the investigation. However, I would like to say that in the materials of the criminal case the following fact is also found: R97,000 were confiscated from a Category 2 invalid. In his testimony, he also says that when he was called in they demanded he surrender R500,000, and subsequently reduced the amount to R100,000. This man argued that he had no money. However, they stated to him that he and his family would be arrested. He proceeded to collect R97,000 with the help of relatives and friends and surrendered them to the investigator. He produced for the organs of preliminary investigation notarized promissory notes to the effect that he will be paying off this amount until the year 1995. There are also such facts, and all of this will be checked by way of an investigation.

Chairman. First microphone, please. I will give you the floor soon, Comrade Yudin.

R. Akhmedov, director of the Baked Products Combine, city of Kuva, Fergana Oblast (Ferganskiy Territorial Electoral District, Uzbek SSR [Soviet Socialist Republic]). Comrades, I have two questions. How many criminal cases have been returned for additional investigation? What is the subsequent status of these cases and the persons against whom criminal charges have been filed in conjunction with this? Second question. How many criminal cases have been discontinued for the absence of criminal conduct?

E.E. Martinson. At this point, we may start speaking different languages. After all, criminal charges against the 50 people at issue here have been dropped. These are not the people who gave or took bribes but the immediate relatives and friends of the people arrested for giving and taking bribes. They were charged under Article 169 Part 2 of the Uzbek SSR Criminal Code, that is, concealing valuables acquired in a criminal manner. However, with regard to these 50 persons no separate materials of criminal cases exist. In most cases, even materials on apprehending and arresting them were completely removed from the criminal case without any procedural processing. These persons did not even communicate pertinent information to the internal affairs organs. These detained and arrested persons were not even booked. This has now been established by investigative methods, when pertinent information was received from investigative isolation facilities where these people were confined. Such cases were allowed to happen in this matter. With regard to 11 persons, verification is now under way, and with regard to the 50 persons the absence of criminal conduct has already been established. Comrades, for now I cannot tell you anything else.

Chairman. Deputy Yudin.

V.D. Yudin, chief of the Central Geochemical Division of the Central Geophysical Expedition, Northeastern Geological Production Association, settlement of Khasyn (Magadanskiy Territorial Electoral District, Magadan Oblast). We are now talking about violations of the procedural law. In your opinion, does our present legislation on criminal procedure provide conditions for successful struggle against organized crime, including mass bribery?

E.E. Martinson. I understand the question. The legislation on criminal procedure is definitely in need of a careful reworking because, first, it is cumbersome. In what sense? Sometimes a very rigid framework is established for the investigator. At the same time, I am in favor of defense attorneys joining the case at the moment a suspect is apprehended in order to give this person the right to a defense. So far, we have encountered cases when people were in confinement for five or six years and had no defense attorneys. This is why I believe that provisions of the law on criminal procedure should be revised. I think that some kinds of crimes should be treated literally by way of a protocol so as not to put the burden on the investigative apparatus. Let it handle labor-intensive, major cases involving corruption, bribery, and so on.

Chairman. I would like to seek the support of the congress. The point is that when the commission was set up we agreed to include some members of the commission at the request of Comrade Gdlyan. This was done in the open, with your consent. Now two members of the commission whom he has asked to have appointed are beginning to question the independent prosecutor though Comrade Yarin has already spoken on their behalf. For the sake of objectivity, I ask that we be given an opportunity to sort things out ourselves, without participants from the side of Comrade Gdlyan. (Noise on the floor).

Comrade Belozertsev, please.

S.V. Belozertsev, senior instructor of the Karelian State Pedagogical Institute, city of Petrozavodsk (Kalininskiy National-Territorial Electoral District, Karelian ASSR [Autonomous Soviet Socialist Republic]). Comrade Yarin told us here that some of the bribe- givers were let go despite the fact that they gave 100,000 apiece. My question is: After the case was taken away from the Gdlyan group how many criminal cases were initiated against the people who were let go illegally? This is my first question.

E.E. Martinson. I will answer this. After Usmankhodzhayev was apprehended, Gdlyan and Ivanov had no more cases. That is to say, they handled cases in conjunction with which people had been apprehended earlier. Only Smirnov was detained at a later date, and all the rest were arrested in 1983 through 1987. Still, I will say that, after all, I did not do an analysis of the entire work of the organs of USSR Procuracy. I worked at the request of the commission, carried out its instructions, reported to it, and did the work I was instructed to do. (Noise on the floor)

Chairman. Deputy Chelyshev? Go ahead.

E.V. Bichkauskas, investigator for especially significant cases of the Procuracy of the Lithuanian SSR, city of Vilnius (Shilutskiy National-Territorial Electoral District, Lithuanian SSR). Anatoliy Ivanovich, please, insofar as...

Chairman. Comrades, here is one more example for you... (Noise on the floor)

E.V. Bichkauskas. I would like to ask two short questions. I hope you understand that I was not appointed to the commission at the request of Gdlyan...

Chairman. Comrades, I want to say that members of the commission have had an opportunity to ask the observer-prosecutor about all the details, and this is why I reject this question and give the floor to Comrade Chelyshev.

V.A. Chelyshev, member of the USSR Supreme Soviet Committee for Issues of Ecology and Rational Utilization of Natural Resources (Zaporozhskiy-Zhovtnevyy Territorial Electoral District, Zaporozhye Oblast). I have three very short questions: Did Comrade Yarin read his report to us in full?

E.E. Martinson. I do not understand.

V.A. Chelyshev. Did Comrade Yarin read to us the full report of the commission? Question number two: The USSR Supreme Soviet resolved not to issue publications prior to releasing the conclusions of the commission. By what right has the government telegraph agency given the floor in all central newspapers to the USSR Procuracy? The third question: Deputy Yarin said that the USSR Procuracy and other organizations did not provide materials to the committee. Which organizations were they?

Chairman. Please.

E.E. Martinson. I did not hear the first question.

V.A. Chelyshev. Did Comrade Yarin read the report of the commission in full?

Chairman. This question goes to Comrade Yarin.

E.E. Martinson. Comrades, I will respond to this question for you. I did not sign off on the information the commission has provided; only the members of the commission signed it. After all, I am not a member of the commission, I was merely carrying out its assignments. This is why I do not catch the details and minor points of what happened here and what was said there when I hear it.

Chairman. Two questions, please.

E.E. Martinson. Now as far as the questions about the procuracy are concerned. Once again, I did not catch the sense of it.

From the floor. A decision was made not to publish until the commission makes a final decision. However, there have been publications.

E.E. Martinson. Comrades, please understand: I am not on the staff of the procuracy and do not report to it. When information of some kind is released nobody consults me. If you want to know my opinion I am against such publications by either side because this amounts to a certain amount of pressure on the commission.

Chairman. Thank you. Are we going to ask more questions?

From the floor. No!

Chairman. You may sit down.

E.E. Martinson. Thank you.

Chairman. Comrade Gdlyan? Please, please. You want to be given the floor? Go ahead, Comrade Adamovich. We are now operating under the time limits we have established with the help of Mikhail Sergeyevich—five minutes. Go ahead.

A.M. Adamovich, director of the All-Union Research Institute of Cinema Art, city of Moscow. (Representing the USSR Union of Cinema Employees). Judging by the report and co-report, Prosecutor Sukharev will sort out the Gdlyan and Ivanov matters. I want to say a few words about another name. Really, as a person I can indeed sympathize with Yegor Kuzmich Ligachev. Throughout the country, his name is being besmirched and associated with bribes. They have mentioned 30,000 here, to be sure, with the qualification that no firm proof has been provided. I pity Ligachev, and I say this honestly. However, I pity the country still more. I pity the country which needs confidence in the leadership more than it does anything else at present. Our country

cannot overcome the situation of a complete crisis which it is now facing without having complete confidence in the leadership. Under these circumstances, a person who holds a post in our country, I do not know which post, is associated with the issues of whether he gave and took bribes or didn't do it, and, moreover, is directly associated with protecting people such as Smirnov, who, perhaps, are truly at fault.

How do they go about it in other countries? Quite recently, half a year ago, in America Speaker of the House of Representatives Wright was suspected of publishing a book, incidentally, a very good and popular book, so to say, one that was sold and bought eagerly. However, they suspected that the press run was too big. Did the companies involved in this manner give Wright a bribe? Perhaps, Wright did not want to leave; after all, he held the number three post in the state. However, the Democratic Party was interested, figuratively speaking, in Caesar's wife being beyond suspicion. The head of state, the President, was also interested in it, and without any hooting and mud-slinging, they simply asked Wright to take another job.

This is an opportunity to say how to proceed so that it would be good for both the state and Comrade Ligachev. Could we act as Wright has acted? (Applause).

Chairman. Deputy Akbarov has the floor.

Yu.T. Akbarov, member of the Commission of the Soviet of the Union for Issues of Transportation, Communication, and Data Management (Tashkent Akmal-Ikramovskiy Electoral District, Tashkent Oblast, Uzbek SSR). Dear deputies, dear chairman! I speak here on my own behalf. I protest against the commission report. It is cowardly and, to put it mildly, does not correspond to the truth. The members of the commission risk losing respect because they act against the call of their conscience and reject the indisputably established facts of crimes committed by Gdlyan and Ivanov. Very many victims have approached me concerning these issues. The commission has assumed a position of shielding the criminals. This position may have far-reaching negative consequences in our republic, and it smacks of chauvinism and disrespect for the Uzbek people.

I demand that all materials collected by the commission be released. Why is the USSR prosecutor general silent? He should state his attitude toward such arbitrariness. I demand that the co-chairman of the commission and each member of it provide an explanation to the congress concerning how diligently they have carried out the assignment of the congress. Their position surprises me, or is it that they are also afraid of something? They have a duty to show their civic courage and provide objective information; otherwise, they should be given a vote of no confidence, and the commission should be disbanded.

I do not understand the position of Roy Aleksandrovich Medvedev who has had more experience in life than others. After all, he was the one to reveal in his books the crimes committed by Beriya and Yezhov. Why is he shrinking in a cowardly manner from stating his opinion when he encounters this in life? I am also outraged by the position of the representative of our republic, Vladimir Tuychiyevich Adylov. (Applause). For some reason, he is silent. I absolutely fail to understand the role of commission members from the Baltic area who talk more than anyone else about the law-governed state and human rights when their republics are at issue.

Finally, I appeal to the congress. They want to cheat us in the interest of some political office-seekers. I ask that all the issues named be discussed. However, comrades, all of you have the stenographic report on the proceedings of the First Congress. It says there that three members of the commission were recommended by Gdlyan. I express my lack of confidence in this commission. How could this commission investigate anything if information was being leaked continuously? I would like to know who these three persons are. Tell me their names.

Chairman. So, who else would like to take the floor? Please, come up here. (Noise on the floor). Comrades, they speak for three minutes each, so it is no problem.

From the floor. Comrades! We have now heard the report of the commission. I am satisfied with this report, and I cannot give a vote of no confidence to this commission. Besides, comrades, you know well that a very extensive and much-needed struggle against corruption and the mafia took place in Uzbekistan. This struggle was primarily in the interest of the Uzbek people because the criminals stole not only from the state, but primarily robbed the Uzbek people. This is why we have held the last place in standard of living and life expectancy under stagnation and even now, and are record-holders only on one score—infant mortality. Comrades, these are the results of stagnation and past outrageous practices.

All of you know the names of the individuals arrested who are already being tried. They should be punished as they deserve to be. You do not know anything about the arbitrary rule and lawlessness which are being wrought in our republic. Our central press which has been slinging mud at the 17-million Uzbek people has reported nothing about it. They have arrested thousands of people and fabricated criminal case against them. By now, many people have been released. We do not know the exact number. They say 18,500, they say 16,000, they say 15,000. If pilfered cotton or stolen potatoes were at issue a commission would descend upon us. Meanwhile, at issue here is the fate of people who are not of interest to anyone.

Comrades, in my republic, notorious interrogation methods, which are called the crossing of daggers, have been developed for the members of my people, of all nationalities of Uzbekistan. If we are going to be guided by this method all 280 million Soviet people could be put behind bars. What kind of a debriefing- interrogation is it, comrades? Branding as criminal a person whose guilt has not been proven, putting him in prison together with repeat offenders, beating him up there until he faints,

keeping him incarcerated for several months, even several years, arresting wives and children—comrades, such outrages do not occur in any civilized country of the world.

I will quote the following facts for you. Two criminals, one with eight court convictions, and the other with six, were put in the same cell with the arrested Ruziyev. Indeed, one week later Ruziyev admitted that he was the king of France as far back as the 15th Century. Such were the outrages there. Here is one more example. They talked about a woman who has 12 children. Gdlyan told her: "Surrender the millions." Meanwhile, she had never had any millions in all of her life. This Uzbek woman was put in an isolation cell with repeat offenders who tore out her hair, beat her up, and stripped her naked. She is ashamed to talk about it, and cannot find words to put it in writing. They even tried to pry loose her tooth crowns with a blunt object. When she took this to Gdlyan he said: "I will put you in a zindan [medieval prison in Central Asia]." Ivanov said: "I will put you in a rubber sack." She said: "I will complain to the USSR prosecutor general," to which Gdlyan responded: "I am the USSR prosecutor general." This is exactly how she put it in her letter. "If you like to, you can write to Gorbachev; all of your letters will end up with me." She has lost all hope, appealed to her relatives. They collected the money, sold their cows, and took earrings and wedding bands from their girls, brides, daughters. They collected everything they had, R40,000 in all, and surrendered it. Only after this was the case dropped. This money was entered in reports as belonging to the arrested Kamalov.

Comrades, keep in mind the fact that there were a lot of such outrages. I have one more letter. A woman writes from Tashauz. She was arrested, also beaten up, and forced to collect money. Some have sold their homes, some have sold their cows. They brought R40,000 and surrendered it to some investigator. They took the money and even forgot to give her a receipt.

I will tell you frankly that this is some kind of adventurism. However, this is how a political career was made because almost all of our leaders were on the lists of people who were interrogated. The investigators provided a prepared list, all that was needed was to say that he gave bribes, and even the amounts were entered ahead of time. The name of esteemed Boris Nikolayevich Yeltsin also appeared in the protocols of initial interrogations. Later his name has disappeared somewhere. I will mention one more fact. (Noise on the floor). There is an esteemed academician in this auditorium. He came to Samarkand, visited a construction site, and took his picture there. This picture was used to coerce a person under arrest. "Tell us that you gave him R30,000." He refused, and they beat him up. Later they forced him: Tell us that you gave him R10,000. In six, seven, or eight months, they demanded: Write down that you have given him R3,000. He refused all the time. This man spent 2.5 years in prison. He has been released now, but he has been crippled."

This is my request, Mikhail Sergeyevich. There is Gdlyan and his group; meanwhile, outrages happen all over the republic, on a mass scale. This is why I ask, ask and demand, that the Supreme Soviet and the Congress set up a large commission. It should examine all outrages and all forms of lawlessness which occurred in Uzbekistan beginning in 1983 and through 1984. They tell us that Uzbekistan is a sovereign republic. If so, all crimes which are committed in Uzbekistan should be reviewed and solved in the republic itself. We should not assign these cases to all republics and complicate relations between the peoples of our entire country. (Applause).

Chairman. I allow five minutes, as has been agreed.

S.I. Azarov, retiree, chairman of the Moscow Oblast Council of War and Labor Veterans, city of Moscow (Representing the All-Union Organization of War and Labor Veterans). Comrade people's deputies! At issue here is not just a fact, at issue is the honor of our Motherland, the honor of our native land! In the course of the pre-election campaign, Deputies Gdlyan and Ivanov were asked many different questions, and by now there are more of these questions rather than fewer. The questions are being asked, and they say that, supposedly, they have more serious material in their possession and can produce it. So, why didn't Gdlyan and Ivanov produce these materials for the commission of people's deputies which investigated this issue? For example, as a USSR people's deputy I believe that Gdlyan and Ivanov should submit all the materials they have, and I believe that all of us will support this. (Applause). Thank you for your attention!

Chairman. Identify yourself, please.

Ye.L. Golovlev, laboratory chief at the Institute of Biochemistry and Physiology of Microorganisms, city of Pushchino (Serpukhovskiy Territorial Electoral District, Moscow Oblast). First of all, I would like to apologize to the comrades from Uzbekistan for the expression which come up too frequently in our speeches—"the Uzbek case." Perhaps, it can just as well be called "the Moscow case," or "the Krasnodar case," or by some other name. I think we will not figure out the degree to which Gdlyan and Ivanov are guilty or not. This is a matter for professionals. Perhaps, it is our business to come up with a political evaluation of what is happening. What kind of information is available to us? I wanted to ask Prosecutor Martinson a question: How can we explain the fact that the information given by the USSR Procuracy and USSR Prosecutor General Comrade Sukharev to the CPSU Central Committee Plenum is different in principle from the information the commission has communicated to us?

This is one of the few plenums of the CPSU Central Committee which have been covered in the press in detail. How can we trust the actions of the procuracy after, for example, the article which was carried by the newspaper IZVESTIYA? I will remind you that in the second column of this article Comrade Dukhanin says

that a streamlined system at the basis of the entire so-called Uzbek case was revealed, and as early as mid-May of this year it became obvious that we are witnesses to political machinations, a scheme which investigators Gdlyan and Ivanov have hatched. The last column of this article says: Cases of 10 persons have already been referred to the USSR Supreme Court.

Therefore, did they have a case or didn't they?

Furthermore, with regard to Comrade Smirnov. Circumstances associated with the acquisition of particular things by Smirnov and the receipt of souvenirs were once again scrupulously gone over. These actions, while deserving moral condemnation, do not fall within the scope of the Criminal Code.

I would like to ask the comrade prosecutor this question: What kind of things are "souvenirs?" Personally, when I return from trips abroad, I bring a pen for the lab technician... Perhaps, these are the souvenirs they are talking about? (Noise on the floor).

Personally, I have no confidence in the actions of the prosecutor general. My impression is that Comrade Sukharev was not up to this task.

Chairman. Go ahead, please, but do identify yourself.

K.M. Saidov, chief of the city department of health care of the Aktash City Soviet of People's Deputies, Samarkand Oblast, city of Aktash (Kattakurganskiy Electoral District, Uzbek SSR). Dear deputies! I would not undertake to judge the degree of guilt of the investigators in the Gdlyan and Ivanov group. However, I want to say that in our Uzbekistan lawlessness, arbitrary rule, and coercion were wrought for three to four years. Certainly, it is easy for those who have not encountered this to judge. Certainly, they can laugh about it. However, these are the statistics I am going to give you now. According to the data of the Committee for Party Control, in recent years alone more than 2,500 people have been illegally charged with crimes, arrested, and convicted. Two million rubles have been paid to them as an indemnity following complete rehabilitation.

Why have such arbitrary rule, coercion, and lawlessness been inflicted? There is one thing I want to say. Prosecutor Comrade Martinson said that there was no proper prosecutorial supervision during the operations of the Gdlyan and Ivanov investigative group. Why wasn't it there? Why isn't it there? Because republic prosecutors are appointed by the USSR Supreme Soviet. The republic prosecutor does not report to the republic Supreme Soviet. Republic prosecutors do not feel their responsibility to the population of this republic and do not provide proper prosecutorial supervision. Certainly, the investigation which is under way will judge Gdlyan and Ivanov. However, I would like to propose the following to our Congress. Republic prosecutors should be appointed by the Supreme Soviets of republics. If a republic prosecutor reports to the Supreme Soviet of the republic he will, to my mind, be duly responsible to the population of the republic. Thank you.

Chairman. Comrades, I think that maybe we should still listen to Gdlyan.

From the floor. Yes.

Chairman. Otherwise, we will go on convincing one another indefinitely. Deputy Gdlyan is given the floor.

T.Kh. Gdlyan, senior investigator for especially significant cases of the general prosecutor, city of Moscow (Tushinskiy Territorial Electoral District, city of Moscow). Comrades! My situation is difficult—difficult in the sense that, as you understand, it is impossible to squeeze the enormous amount of information contained in more than 1,000 volumes of criminal case into five minutes and give an objective picture, as prosecutor Martinson said, so that everything is laid out in its entirety and interdependence. You also understand that a professional who has self-respect will not talk in slogans or hollow accusations. Something needs to be said and substantively justified. Anatoliy Ivanovich, how much time do I have so that I can plan ahead?

Chairman. Go ahead, we will see, and consult the congress.

T.Kh. Gdlyan. I understand how you will look at it.

Chairman. Telman Khorenovich, I will consult the congress.

T.Kh. Gdlyan. I know how you consult it. (Noise on the floor). Comrades, concerning this case, we spent six years investigating it. You can see that the a rate of half an hour per year we would need to talk for three hours. If the congress cannot do this, I would apply to you, deputies, my colleagues, to be given an opportunity tomorrow or the day after tomorrow to speak on Central TV and for the first time state our point of view, substantiate, and outline everything, after which a lot will become clear.

Furthermore, point two. I ask that the congress release and make public all materials in order to make it clear that all accusations which have been unilaterally leveled at us are unsubstantiated. Then it will be obvious who was doing what. After all, we are not afraid of glasnost, are we? Actually, this is the only way out. People need to know what has happened. This is my second request.

What has happened in Uzbekistan? I am not going to talk in generalities, nor does anyone need that. So I will begin with the facts. We are accused of numerous violations, of all the troubles which occurred in Uzbekistan with the application of the law, and so on. This absolutely does not correspond to the truth, and here is why. I believe that many deputies from Uzbekistan have been mislead. Comrades and colleagues, I would like to inform you. Ours was the only group in Uzbekistan which fought the lawlessness, as the comrades have correctly remarked, which was wrought there. I would

even say that we fought mass terror in Uzbekistan, a small-scale genocide. You understand that I am not saying this now because I want to be liked. Beginning in 1984, we fought local law enforcement organs headed by former Prosecutor of the Republic Buturlin under whose leadership all of this took place, former USSR Prosecutor General Rekunkov, and former USSR Deputy Prosecutor General Soroka. It was precisely them and interested persons from among those who are now detained and against whom criminal charges have been filed, as well as some functionaries of the center, who literally unleashed terror against "small fries." We spoke against it as early as 1984. You may say that now Gdlyan can say whatever he likes. I will refer to documents. In early 1986, witnessing the lawlessness wrought—and you should have seen the conditions in which people lived, including officials, in order to understand how they violated the law. Indeed, hundreds of thousands of people violated it. So, someone wanted our group to take part in such terror. We refused to do so. We only held the organizers accountable. Comrades, in six years we held accountable and filed charges against slightly more than 60 people. The statistics speak for themselves. We did not take part in mass terror.

Seeing this orgy of lawlessness concerning the people who were penalized twice, under Rashidov's rule and at that time, under the so-called administration of justice, in 1986 we were compelled to appeal to Secretary General of the CPSU Central Committee, President of the country Mikhail Sergeyevich Gorbachev with a 15-page memorandum in which we exposed all of these unfit methods. We know with complete certainty that Mikhail Sergeyevich familiarized all Politburo members with this secret document. Subsequently, we sent similar messages three more times. We wrote to a number of Politburo members about it, we protested, and we said that this should be stopped because it is absolutely unsuitable. One thing I do not understand is why members of the Politburo are silent and why Mikhail Sergeyevich is silent, and why they say that they were the ones to rise up against this.

As far as the failure to institute criminal proceedings, that is, dropping criminal charges, is concerned. Comrades, everything has been confused in this matter. Our group is now being blamed for everything that went on in Uzbekistan as far as violations are concerned. Let us shed some light on it. We are prepared to answer all questions as far as our group is involved. Recently, Comrade Pugo used the same method: pinning everything that has happened on us. I ask, Comrade Pugo, what have we got to do with the arrests and detention of pregnant women, and so on? This was not our doing, not a part of our cases. When they say that, supposedly, R1 million was returned to the state at the expense of suspects who were released—this is a pure falsehood. This has got nothing to do with us. To this day, not one ruble has been returned. With reference to mass releases—the comrades are correct in stating that in Uzbekistan criminal proceedings were instituted against more than 400 people. This was done on the command of Buturlin, the former prosecutor of Uzbekistan who now works as a deputy prosecutor of the Russian Federation. They were acquitted, or, as they put it, rehabilitated. When I was in the office of Comrade Pugo and in many offices of the CPSU Central Committee I said: Comrades, it turns out that no investigation is needed in this instance. Take the materials of the case—and here are 400 people acquitted. Why don't you respond to the fact that there was lawlessness was over there? To this day I ask myself why they do not respond to these barbarous facts.

Now for the arrests of relatives. Indeed, arrests of relatives were made. Let us figure out what is at issue here. If our opponents were more flexible (I mean in terms of their legal position) we would have, perhaps, been charged indisputably, so that Gdlyan and his investigative group would have had nowhere to go and, using the vernacular, would have been backed into a corner. This is what would have happened if they had accused us of failing to file charges against second, third, and tenth-order "small fries," along with thousands of others, despite their guilt being proven, and of failing to ship from Uzbekistan to Siberia the people who were forced to violate the law. I repeat once again that it would be a different matter. However, accusing our group of arresting and detaining innocent people has got nothing to do with the truth because their complicity and guilt in concealing these millions was proven, and we applied the law which is in effect now.

So, the question is what else are we guilty of? You may recall that the prosecutor general, speaking at the September Plenum of the CPSU Central Committee, referred to the fact which the observer-prosecutor also mentioned today—that the relatives of Karimov, first secretary of the Bukhara Obkom [oblast party committee], were arrested. Yes, they were arrested, but in keeping with the requirements of the law. I repeat once again, in keeping with the requirements of the law. They had "merely" R6.2 million confiscated from them. These millions are in the State Depository Office. Actually, all of these people should be charged. However, we believed that such technical application of the law in the case of these people, when the head of the household committed the crimes, is just unfeasible. Even from a moral point of view, charges could not be filed because this phenomenon is too massive.

Now for the family of Khudaybergenov. Indeed, comrades, his relatives, incidentally relatives of a man of greatest integrity, were arrested, detained. Yes, you are going to laugh, but I am afraid that they may now deal with him for his honesty, for the fact that he turned in these millions together with his relatives. Meanwhile, he was just as much a victim in the sense that he had no other choice. So, just R200,000 less, or 6 million, were confiscated from him. The question is who accomplished what, comrades.

From the floor. (Inaudible).

T.Kh. Gdlyan. What about this, so to say, lawlessness?

Chairman. Let us wrap up. Wait a minute.

T.Kh. Gdlyan. Just a minute. After we found the 6 million of Karimov, first secretary of the Bukhara Obkom, Comrade Chebrikov who I believe is present here and Comrade Rekunkov reported to the Central Committee and the Politburo that so much had been confiscated from him. KGB employees got awards, so to say, for it. There were no questions asked. Why is this being questioned now? I cannot understand.

Now as to initiating the criminal case which the independent prosecutor mentioned. Comrades, I will refer to two points. Incidentally, it is symbolic that the USSR prosecutor general initiated the case against the investigative group exactly on the day the First Congress was inaugurated. As they say, it is certainly aimed at getting Gdlyan and Ivanov. This is understandable, but this is not the point. The point is that the case is proceeding with violations. Who is it conducted by and, so to say, on whose instructions?

In essence, at that time we invited the public to judge our USSR state prosecutor and said that he was allowing violations of the law to happen. I could enumerate these violations, but there is no time at present. His actions are aimed at shielding in any manner, including unlawful, the Moscow bribe-taking group rather than at anything else.

Putting it mildly, the USSR general prosecutor initiated and conducted criminal proceedings against us after the entire world found out that we were accusing him, and he did this in violation of the pertinent articles of the code of criminal procedure of the Russian Federation which says verbatim that persons interested in the outcome of a case have no right to participate in its conduct. Pardon me, this is not only unlawful but also immoral. Such things cannot be done. Say, I would be conducting a case against Aleksandr Yakovlevich—I just believe that it must not be done because I am an interested party.

Second, he violated the instructions of the First Congress of USSR People's Deputies to the effect that a commission consisting of the deputies whom you elected was to be given exceptional powers and that only the commission had the right to engage in clearing up all these circumstances—because, you may recall, at issue were not the investigators, but, as you remember, but the exposure of the eventual violations by the investigative group, employees of the procuracy, central apparatus of the USSR Procuracy and the USSR KGB. Third, as you may recall, the main issue was the conduct of the corruption case so that it would not be ruined.

Esteemed colleagues, I am now reporting to you with regret that, in essence, the criminal corruption case has been destroyed—in the sense that not one of the corrupt individuals in Moscow, including in the supreme echelons of power, will ever be brought to justice which, essentially, is exactly the point. As far as the fact that, supposedly, there is not enough evidence and so on, I assure you that with this evidence the entire interregional group could have been convicted long ago and exiled to the Kolyma. (Laughter on the floor). However, it is another matter whose hands it ends up in and what actual use is made of it. Today the "kind-hearted" ones flirt with our Uzbek comrades—you understand that this is done in order to mislead them. This has got nothing to do with the law. By now, the actions of these individuals have created a situation in which the Uzbek Republic allegedly turned out to be corrupt, but Moscow and the center are, supposedly, pure people dedicated to the authorities and the interests of the people. This is what they tried to ensure and what they essentially accomplished. However, I state categorically: The term which they have invented here, in the depths of Moscow—"the Uzbek case"—was continuously denounced by us; it is not in keeping with the materials of the criminal case. The term is still in circulation, though some comrades add "so-called." What has "so-called" got to do with it? Someone wanted to make this into an "Uzbek" case, despite its threads leading just as well to Kazakhstan, Tajikistan, and to the Caucasus. It is just that nobody wished to investigate this, you see? (Noise on the floor).

Chairman. Comrade Gdlyan, you have been talking for 25 minutes. (Noise on the floor). What does the congress think? (Noise on the floor)

T.Kh. Gdlyan. Comrades, I have no opportunity to ask for additional time. Certainly, I could specifically... (Noise on the floor)... answer your every question. It would be very interesting for me. Just a minute! I would ask for a little bit more time, so that you could ask me any questions and I would respond on behalf of the investigative group standing in front of you. Then you would see who did what, who defended our state interests and who ruined our great country.

Chairman. Comrades, I believe that for questions and answers...

From the floor. Anatoliy Ivanovich...

T.Kh. Gdlyan. Yes.

Chairman. Just a minute. I now will...

From the floor. (Inaudible)... which you talk about all the time. (Inaudible).

T.Kh. Gdlyan. Yes. Comrades, it will be a pleasure to answer this question. You actually helped me out because I would have left without answering this generally sensitive question.

What is the essence of it? We are accused of not providing materials by, among others, members, co-chairmen of the commission, Comrades Medvedev, Yarin, and others.

Comrades, from day one we have said that all materials of the criminal case are in the criminal case file. Moreover (just a minute, responding like this is uncalled-for), I will speak and then you will refute me.

All materials are in there. Why shouldn't the prosecutor general be asked or required to produce all materials in order to put them before the commission? After all, it is just a 10 minute walk to Pushkin [Street], 15a. Why doesn't the commission want to familiarize itself with the originals, why can it not call in the prosecutor general so that he would produce them?

As far as our documents, as they are called, are concerned, I will give you an explanation. Indeed, we have copies of these documents, copies of videotapes which are being kept in reliable locations. Here is why. The point is that when they said that the case was handed over with an inventory taken this was not in keeping with the truth, comrades. After all, the heart of the matter lies in the fact that, excuse me for a nonparliamentary expression, the case was taken away from us in a bandit fashion. After all, even when they hand over the cattle in a kolkhoz they count how many cattle have been transferred to this or that brigade leader. Meanwhile, they took from us documents of state significance, several hundred volumes of them, with no trace and no inventory. They said here, today, that supposedly there were no documents. This does not conform with the truth. Now they can do whatever they like with the documents. However, do we have the right before you and before the people to give up the last we have, so that tomorrow, when they ask us, we will not have these documents available? So, we will proceed to say: Please, here are the copies, but where are the originals? (Noise on the floor).

Chairman. Comrade Gdlyan, this is all.

T.Kh. Gdlyan. I believe that if the commission so wishes it can get the originals of the documents—I repeat once again that all of them are held by the prosecutor general.

Chairman. Everything is clear. Thank you. No, wait a minute. Deputy Pamfilova, do you have a question? Go ahead, and this is where we wrap up.

E.A. Pamfilova, member of the Supreme Soviet Committee for Issues of Ecology and Rational Utilization of Natural Resources, member of the Credentials Committee of the Congress (Representing USSR trade unions). Telman Khorenovich, as a lawyer you should bear full responsibility for the statements which you make on TV and at meetings. I personally heard on Leningrad TV your accusations against Ligachev, and that you personally have the evidence supporting the accusations. I would ask you to produce this here, at the congress. You knew that we were going to consider this material of your case today. You understand that the entire country is waiting for it. If you have it, produce it; if you do not put an end to the demagoguery and stop disturbing the country. (Applause).

T.Kh. Gdlyan. Comrades, I say once again that these documents are in the criminal case file which was taken away from us. This is number one. Secondly... (Noise on the floor).

T.Kh. Gdlyan. Just a minute. Secondly, the commission said today that the case was not duly investigated, and at the same time, so to say, they cannot say anything about the role of Yegor Kuzmich. So, how does this happen? Comrades, you have not familiarized yourselves with these materials.

From the floor. (Inaudible).

T.Kh. Gdlyan. Besides, I cannot understand why, as a matter of fact, that the focus is exactly on this individual... (Noise on the floor).

T.Kh. Gdlyan. Just a minute. After all, all materials of the criminal case should be viewed in order to understand everything. I have my last request for you. I appeal to you: Let us make them public so that you have an opportunity to read everything thoroughly, and later you can say who is guilty.

Chairman. One minute. Your question, please.

From the floor. The last half-hour resembles a dialogue of the deaf. We are talking about one thing and you about the other.

Personally, I liked the position, and I believed the independent prosecutor invited by the commission. His competency in the service—a tenure of 20 years as an investigator and a prosecutor—compels us to believe his words, his experience, and his integrity since so many people have confidence in him. So, he gave you credit for handling this case, for the fact that out of the 2 billion in documented losses of funds your commission uncovered 20 million. However, there were violations of the law in the handling of the case, there was the fact that you used Vyshinskiy's methods, that is, you rejected the presumption of innocence. Why are you not responding to the Congress? Why did you violate human rights by conducting the investigation in this manner? (Applause).

T.Kh. Gdlyan. I will answer this question for you. Of course, comrades, my situation would be difficult now if I were to say what has happened. After all, what the independent prosecutor reported... with your permission, I will say something concerning independence. After all, as you remember, he was to oversee the corruption case; this was said. I will say what kind of independence it is so that you may understand. He came along at the final stage of the disintegration of the corruption case, got to work, and began to oversee the case against the investigative group. These are different matters. Secondly, what the independent prosecutor said here does not conform to the truth... (Noise on the floor). I am ready to prove this to you. You understand that these are the facts. It is one matter to level an accusation, and another to give an opportunity to the independent

prosecutor and to me to speak out publicly, in the press or on TV. I will then say what he is not right about. (Noise on the floor).

[Chairman] Telman Khorenovich, you have been speaking for 30 minutes now. Twenty-six of our deputies are asking me for just one thing: that investigator Comrade Dukhanin who has investigated this case now come up to the speaker's stand. May I give him the floor? (Noise on the floor). Please. Where is Comrade Dukhanin?

M.S. Gorbachev. He is not here.

'Military' Deputies Interviewed on Romania

90UI0252A Moscow ARGUMENTY I FAKTY in Russian No 52, 30 Dec 89-5 Jan 90 p 2

[A. Uglanov interview with people's deputies; date not given: "Nearing Final Curtain...."]

[Text] We continue the "In the Lobbies of the Congress" column, which, to judge by the response, has caught the readers' attention. Such was the atmosphere that had taken shape in the Palace of Congresses over the past several days.

The events in Romania focused general attention. Everyone was asking: On whose side is the Romanian Army? This is now known, but the most varied outcome could have resulted at that disturbing time. In any event, the first news was to the effect that the majority of soldiers had refused to fire on their own people. How our USSR people's deputy military men viewed this is most likely of some interest.

V. Shabanov, deputy USSR defense minister:

"I am opposed to the use of military power for breaking up any demonstrations, political ones particularly."

Marshal S. Akhromeyev:

"Who could be well disposed toward an army's actions when it fires at its own people?"

Admiral of the Fleet A. Sorokin:

"First, we lack complete information on this score. If the army is supporting the insurgents and preventing bloodshed, we are for this, for such a solution of the problem."

Colonel General B. Gromov, Kiev Military District commander:

"The army should not go against the people in this way. But the second part of its operations, when it said that it was with the people, this I support."

As distinct from Western democracies represented in their parliaments chiefly by professional politicians, the vast majority of our deputies are representatives of ordinary professional groups. But there are also those whose calling is service of God. For many years they existed independently, as it were, but today their unfamiliar attributes—cassocks, klobuks [headgear of Orthodox monks], turbans—are appearing increasingly often in the frames of parliamentary television and camera lenses.

To what extent have they perceived themselves to be involved in political life? This question was answered by Shaykh ul-Islam Allakhshukur Pasha-zade, chairman of the Transcaucasus Muslim Religious Administration:

"It was initially difficult for us to become a part of this life because we had long since—70 years ago—retreated from it.

"Of course, we have yet to have our own say. We expect the Third Congress to give us more, inasmuch as we expect the enactment of a bill on freedom of belief. Then, I believe, the whole clergy will participate in the discussion.

"Generally, I am content. The congress is assuming a normal rhythm and working. One senses that it is doing a great deal.

"Today, although we say that the church is separate from the state, citizens are not separate from society. We are therefore living today's politics. Inasmuch as I was elected not from a public organization but from a national-territorial okrug, I will have to participate in the political life of our republics and regions."

Starting at the entrance to the Kremlin, at the Borovitskiye Gate, at literally every door and staircase of the Palace of Congresses, young people of athletic bearing stood—the congress guard. People's Deputy A. Maslennikov, head of the USSR Supreme Soviet and Congress Press Center, comments:

"Several groups of people are present at the congress, deputies and journalists included. They have done nothing untoward. As far as I know, journalists are in the category of people who are inclined at times to create a certain chaos, people with cameras particularly. Television is, as you know, a very competitive sphere. They sometimes forge right ahead because whoever is nearest has the best angle.

"There was an occasion when a small group of journalists in the hall surged in the interval toward the podium, toward the chairman. They attempted to push people's deputies out of the way. Deputies protested to me about this. The journalists have made no 'direct assaults' since.

"The guards check for metal objects and such—as in many of the world's parliaments and all organizations where many people are assembled, from airports to any national conference or party congress."

[Uglanov] And what about various leaflets and newspapers? Can they be brought in?

[Maslennikov] This has been the case. But we do not allow them to be brought into congress' Press Center or

allow the dissemination from there of this kind of 'partisan' literature, whatever its source.

Deputes Debate Crime-Fighting Effort

90UN0333A Moscow IZVESTIYA in Russian 25 Dec 89 Morning Edition pp 5-6

[Unattributed report on 23 December afternoon session of Second Congress of USSR People's Deputies, including statements by V.I. Semenko, V.V. Khmura, S.T. Melekhin, A.A. Shchelkanov, Yu.V. Golik, I.B. Pavlevich, G.K. Kryuchkov, and S.B. Stankevich]

[Excerpts] [Passage omitted] The Kremlin Palace of Congresses, 23 December 1989, 1600 hours.

The session was chaired by USSR Supreme Soviet First Deputy Chairman A.I. Lukyanov. [passage omitted]

Chairman: Comrades, we have concluded our discussion of the question of intensifying the fight against organized crime. Now we must make a resolution on this question. The editorial commission has carefully reviewed the proposals and comments of deputies who spoke on the draft resolution, and has made its own amendments to it. I should say, comrades, that this editorial commission has been working since the start of the congress and you can see that it has met repeatedly, and I have made statements about its work.

On this matter I give the floor to the chairman of the editorial commission, Deputy Semenko.

V.I. Semenko, chairman of the Ivanovo Oblast Court (from the V.I. Lenin Children's Foundation): Esteemed Presidium, esteemed comrades. Consideration of the question of crime and organized forms of crime at the level of the Congress of People's Deputies is at this time of fundamental importance for our country. It is proof that crime is on the increase and acquiring increasingly dangerous forms, and that the criminal world is challenging our society. The inclusion of the question of the fight against organized crime on the agenda of the Second Congress of People's Deputies reflects the common desire to impart state significance to crime prevention measures and the fight against crime. The editorial commission has met six times to prepare a draft document, and we are grateful to those deputies who expressed their own opinions and wishes.

The commission has distinguished the main avenues in the work and recognized the very acute need to unite the efforts of state organs and the public in the fight against crime. We are proposing that the resolution reflect the main issue that is worrying the people, namely, the need to offer a decisive rebuff to the criminal world through the efforts of all of society. First priority will be given to measures aimed at improving the socioeconomic, political, and moral situation in the country. Measures to reinforce labor and public discipline. Deputies Samsonov, Setkin, Varennikov, Kalmykov, and Maltsev focused attention on this in their statements. Deputies Stepanenko, Batyshev, Korshunov, and others submitted their proposals to the commission. People's Deputy Shcherbakov appeared in print in PRAVDA on 20 December 1989, and in today's edition deputies Vlasov and Patsatsiya are saying that specific measures are needed to provide personnel and material-technical support for the law enforcement agencies that would be in line with present-day requirements in the fight against organized crime. Measures of a legal nature are also needed to change criminal and criminal procedural and other legislation, aimed at guaranteeing the unmasking of all those involved in organized crime as quickly as possible, including the instigators, organizers, executors and accomplices, and those who harbor them. The inevitability of punishment is essential, but within the framework of the law.

New legal measures are needed to provide reliable protection for victims and witnesses, and for those who carry out service and public duties in the fight against crime. These kinds of proposals were put forward in reports and submitted by people's deputies comrades Kolbin, Likhanov, Asankulov, Desyatova, Arkhipov, Mironenko, Tarnavskiy, Tsybukha, Pavlevich, Sysoyev, Enberg, and other comrades. In our opinion the USSR Supreme Soviet and USSR Council of Ministers should adopt these measures without delay.

The commission has deemed it essential to focus our attention on the fact that the fight against crime should be intensified together with the strictest observance of the principles of socialist legality. Dealing with crime and organized crime is a complicated social task and it will be resolved primarily on the basis of eliminating the causes and conditions that give rise to it, and by removing its economic, social, and spiritual roots.

Given all their importance, in and of themselves some legal measures cannot guarantee any solution to the problem of the fight against crime. The commission shares the opinion of those presenting reports that to count only on the imposition of stiffer penalties as a universal means of dealing with crime is erroneous.

The most important precept in this work is the quick unmasking of all those involved in crime. In order to prevent violations of the law what is needed is preventive measures in high-risk groups, and work on the social rehabilitation of persons who have incurred punishments for crimes. What we have in mind here is finding employment for them, bringing them back to their relatives and their former place of residence, and other factors. Deputies Kolsenikov, Matviyenko, Rakhmanov, and Strukov called for this.

And so, esteemed comrades, in the draft document that you see the editorial commission has tried to give due consideration to the majority of comments and proposals submitted during the course of the debate on the report. At the same time the commission recognizes with a proper sense of responsibility that it is impossible to designate all social and legal measures in the fight against

organized crime in a single resolution. A number of very valuable proposals from people's deputies concerning changes in existing legislation, the birth of new enforceable laws, and practical work in application are being passed to the USSR Supreme Soviet commissions and committees and the appropriate departments and law enforcement agencies. They include, for example, proposals from People's Deputies Desyatov and Shevchenko, and a proposal from People's Deputies Golik, Stadnik, and Oborin to support the opinion of the minister of internal affairs on the need to form a USSR Supreme Soviet committee to deal with questions concerning the fight against crime, and a commission of experts to predict criminal consequences stemming from the draft laws being submitted, and the creation of an interdepartmental commission to fight organized crime. These proposals have been supported by most members of the editorial commission.

On behalf of the Second USSR Congress of People's Deputies an appeal has been issued to the mass media, asking them to help in providing legal information for the public and in shaping respect for the law, and propagandizing positive experience gained in crime prevention and in the honest fulfillment of civic and public duties. The members of the editorial commission share the serious concern of the Second USSR Congress of People's Deputies about the growing crime rate. We share the firm determination of society to insure legality and law and order in the country. These are the main positions expressed by the editorial commission in the draft resolution.

Of course, there are no limits on making improvements to our document. Yesterday evening we tried to review all comments that we had received, and, esteemed comrades, we are proposing that, giving due consideration to the acute nature of this matter, in principle the document is ready for the Second USSR Congress of People's Deputies to adopt this resolution.

Chairman: Are there any questions for Comrade Semenko? No? Thank you, Valentina Ivanovna?

How shall we proceed, comrades? Everyone has a copy of the resolution in his hands. Perhaps we should put it to the vote? Any objections?

From the hall: No.

Chairman: Then I submit the draft of this resolution to the vote of the Congress.

The resolution on intensifying the fight against organized crime was passed by the USSR Congress of People's Deputies. The voting was as follows: For, 1,832; against, 16; abstentions, 30. Total votes 1,878.

From the hall: We cannot hear.

Chairman: There is an amendment? Shall we debate the amendment, comrades?

From the hall: No.

Chairman: I think that if there is an amendment we should hear the deputies. Let us hear brief statements, up to one minute. Deputy Khmura, please.

V.V. Khmura, chairman of the Olginskiy Rural Soviet of People's Deputies executive committee, Primorsko-Akhtarskiy Rayon (the Timashevskiy territorial electoral okrug, Krasnodar Kray): I propose that the following point be included in the resolution: "In connection with the very acute social situation that has been created by organized crime, its growing scale, and the increasing involvement of young people, officials, and the leaders of many cooperatives, the Second USSR Congress of People's Deputies is assigned to take extraordinary steps to decisively eradicate the causes of this kind of crime and to halting the activity of recidivists." And I think that it is worth pointing out that every effort must be made to fight it.

And second, it is common knowledge that one of the causes of crime is parasitism. Currently, the fight against it has amounted to nothing. I therefore believe that the Supreme Soviet should be entrusted with the task of reviewing and changing Article 209 of the Criminal Code since at present it is not being applied at all and parasitism is growing in the country. I ask that this proposal be put to the vote.

Chairman: Understood. This means that Deputy Khmura has two proposals. One is connected with abuses in cooperative activity and the need to take steps in this direction. The other concerns the need to alter Article 209 of the Criminal Code. It is a matter relating to the Russian Soviet Federated Socialist Republic Criminal Code; I say this so that you will be properly oriented, comrades. Do we want to put this amendment to the vote? The fact is that the resolution itself expresses recommendations for the adoption as soon as possible of new criminal procedural and criminal legislation. That is, Comrade Khmura's proposal is already covered by these recommendations. Or do you insist on a vote?

Khmura: (inaudible).

Chairman: Comrade Khmura is insisting on a vote. Then I must put it to the vote.

From the hall: (inaudible).

Chairman: Voting by a show of hands?

From the hall: Yes.

Chairman: Comrades are proposing a show of hands. Any objections?

From the hall: (inaudible).

Chairman: Fine. The vote is on the proposal of Comrade Khmura. For? Against? I ask you to look for yourself (turning to Comrade Khmura)—the majority are against.

Please, Comrade Melekhin.

S.T. Melekhin, operator at the Nizhnetagil Metallurgical Combine imeni V.I. Lenin, Sverdlovsk Oblast (from the USSR trade unions): Comrades, we have agreed to put questions to Comrade Bakatin in written form.

I would like to put a question in telegraph form, if I may express it thus. A telegram has been sent to the Congress from our enterprise, the Nizhnetagil Metallurgical Combine. It is signed by 35 secretaries of shop party organizations and the combine party committee. This is what it says.

We demand that you pass this letter to the Congress. As in the case of the miners, it has for a long time been clear to the metal workers that privileges, special stores, and corruption are tightly connected in a single pack. Here I omit part of the text. And then: Procrastinating in the resolution of questions concerning privileges and corruption is leading to the final dissolution of trust in the government.

This, comrades, is a specific opinion on the matter that we are considering. And proof that the working class regards it very seriously. I would therefore ask the Supreme Soviet and government to consider these issues and attach special importance to them.

Chairman: I think that it is a serious matter. But we must hear from the commission that is reviewing the privileges enjoyed by particular categories of citizens. Then, naturally, we shall return to it. Do you object to this?

Melekhin: No. The essence of the proposal is that priority attention should be given to these factors.

Chairman: I think that the government and other bodies will take account of this. Deputy Shchelkanov has the floor.

A.A. Shchelkanov (the Kirovskiy territorial electoral okrug, Leningrad City): Giving due consideration to the fact that nonregulation relations in the Armed Forces is one of the directions of the national comprehensive program to fight crime, I requested that it be included in the draft resolution in the form of a paragraph. I have an interest in knowing if the editorial commission adopted this proposal or whether it deemed it unworthy of attention. Of whether it actually received this proposal. I would like an answer.

Chairman: Thank you. I give the floor to Deputy Golik, who worked on proposals in the editorial commission.

Yu.V. Golik, member of the USSR Supreme Soviet Committee for Legislation, Legality, and Law and Order (Central territorial electoral okrug, Kemerovo Oblast): Our commission did work on this proposal from Deputy Shchelkanov, and concluded that it is inappropriate to include it in the Congress' resolution. If the need arises, the commission dealing with matters relating to the fight against crime that it is proposed to set, will itself set up this kind of group or commission. It is too trivial, too particular a matter. I would even say that there were many such proposals in the editing of the resolution and none of them was lost.

Chairman: Is Deputy Shchelkanov insisting on a vote?

Shchelkanov: Yes. And one word. Thank you. Now parents and all the people will know that this is too trivial a matter. I insist on a vote to include in the resolution the proposal of the fight against military crime.

Chairman: Shall we vote, comrades?

From the hall: No.

Chairman: No, let us vote. Are there any objections to a show of hands?

From the hall: No.

Chairman: Please.

Those in favor of having Deputy Shchelkanov's proposal included in the resolution. Please raise your hands.

We must vote by card, it is too difficult to determine.

The amendment is adopted and I ask the editorial commission to add this clarification to the text of the resolution and Comrade Shchelkanov to pass on his proposal.

Results of the vote: For, 1,424; against, 356; abstentions, 83; total votes, 1,863, all voted.

Now I see nine people at the microphone. Does this mean nine more amendments? (commotion in the hall)

The third microphone, please.

I.B. Pavlevich, member of the USSR Supreme Soviet Committee on Youth Affairs (Kamenets-Podolskiy territorial electoral okrug, Khmelnitskiy Oblast): I have two amendments. Both proposals have been submitted for consideration by the editorial commission, but have unfortunately not been reflected in the resolution.

First, giving due consideration to the unpreparedness of law enforcement agencies to deal with the growing crime, particularly organized crime, and for the purpose of improving coordination in work in this direction, the USSR Supreme Soviet should be assigned the task of reviewing the question of forming in the Supreme Soviet a bureau for public safety, consisting of the USSR minister of internal affairs, the USSR Procurator General, and USSR people's deputies. The Supreme Soviet chairman should name the members of this bureau.

And the second proposal. The USSR Supreme Soviet should be assigned the task of setting up a standing committee on questions of fighting corruption. I request that this proposal be put to the vote.

Chairman: Thank you. The editorial commission has obviously considered your proposals.

Golik: Comrades, the reworked draft of the resolution contains a clause that reads as follows: To set up a USSR Supreme Soviet committee to deal with questions relating to the fight against crime.

If required I could report on my own ideas about what that committee would do.

From the hall: No need.

Golik: No need? Very well.

Chairman: All your proposals will be realized by this committee. Will you withdraw your proposal? You will? Thank you.

Pavlevich: Anatoliy Ivanovich! I do not withdraw my question about corruption.

Chairman: So, a separate committee?

Pavlevich: Yes. On the issue of the fight against corruption.

Chairman: This could be combined with the committee to fight crime.

Golik: In his statement Vadim Viktorovich Bakatin also talked about the need to create a commission of deputies for the fight against corruption. We discussed the matter and in principle we found no obstacle against the creation of such a commission. But perhaps the congressional commission should be combined with the ethics commission (commotion in the hall). Anyone who engages in corruption commits both an immoral act and a crime. That is why we are saying this.

Chairman: I think, comrades, that in principle the committee to fight crime that is being proposed would take all this into account.

From the hall: (inaudible).

Chairman: Yes, there will be subcommittees—for corruption, dealing with juvenile crime, and so forth.

From the hall: (inaudible).

Chairman: Do we still nevertheless vote on the proposal on a committee on corruption or are you satisfied with the answer? You do not insist? Thank you.

Third microphone please.

From the hall: I ask the Congress to include in the resolution a clause on the economic responsibility of an All-Union republic for damage caused to another All-Union republic through the organization of a blockade or other forms of organized crime. I do not want to whip up passions by this, but on the contrary, I want to settle the dust of the organizers of the blockade.

Chairman: Please. I shall ask the commission.

Golik: We have received several such proposals. We concluded that these matters cannot be taken up "on the run" but need detailed and particular work at the level of committees and commissions. And so these proposals will be passed on for appropriate legislative work.

Chairman: Do you insist on a vote?

From the hall: No

Chairman: No, they are not insisting. Good. Please, the first microphone.

Yu.G. Krasilnikov, member of Council of the Union Commission on the Development of Industry, Power Engineering, Equipment, and Technology (the Leninskiy territorial okrug, the Tatar Autonomous Soviet Socialist Republic): I propose that at Clause 3 of the resolution where it talks about hastening the adoption of new laws on the USSR Supreme Court and USSR Procuracy the words "and investigations" be added. Because we should oppose organized crime with well-organized investigating agencies, which today, unfortunately, we do not have.

Chairman: Thank you. Deputy Golik, please.

Golik: Yesterday evening was the last time that we worked in the commission on a law on investigations. Since today the structure of the investigating apparatus and the principles for its organization remain unclear, we concluded that some haste was permitted in assigning the task of working on these kinds of laws. Notwithstanding, we deem it essential to continue this work. It is under way and some beginnings have been made. And the committee is in no way relinquishing its responsibility for this draft legislation.

Chairman: The more so since a set of Fundamentals of Criminal Justice is to be created in which this will all be largely regulated. Are you insisting?

From the hall: No

Chairman: Thank you. Second microphone.

A.N. Boyko, department chief at the Donetsk State University, Donetsk City (the Donetsk-Voroshilovskiy territorial electoral okrug, Donetsk Oblast): Esteemed comrades, our historical experience shows that many of the country's ills are the result of lack of the proper oversight of the activity of law enforcement agencies. And so, at the clause on page four that reads "review the question of forming an independent committee on the problems of guaranteeing legality and strengthening law and order..." the following words should be added: "and oversight of the activity of law enforcement agencies," that is, charge it with the obligation of monitoring the activity of those bodies.

Golik: I beg your pardon but I have just read the new editorial version of this clause; I shall repeat it.

Chairman: Read it.

Golik: "To form a USSR Supreme Soviet committee to deal with questions relating to the fight against crime."

This committee will handle the entire range of issues, including oversight over the activity of law enforcement agencies.

Chairman: Are you satisfied with the answer? Thank you. Please, Deputy Petrushenko.

N.S. Petrushenko, colonel, instructor for propaganda and agitation in the political section of a military unit, Ust-Kamenogorsk City (the Leninogorskiy territorial electoral okrug, East Kazakhstan Oblast): Esteemed Anatoliy Ivanovich, in connection with the fact that yesterday the report of the USSR minister of internal affairs contained a number of constructive proposals, I suggest that it is necessary to ask the minister about the body on which we shall lay the responsibility of the fight against organized crime, on which in principle he insists. And these matters should be put to the vote. Other matters could be debated in the USSR Supreme Soviet.

Chairman: Thank you. I have a question for Comrade Bakatin. Are you satisfied with this resolution?

From the hall: (inaudible).

Chairman: He, as a member of the commission, is satisfied with this resolution. The rest, of course, will be dealt with in the USSR Supreme Soviet.

We have already accepted the resolution. Shall we consider amendments?

From the hall: No.

Chairman: Is that all, comrades? Are the discussions complete?

From the hall: Yes.

Chairman: Then I shall call for a vote. Those in favor of ending the debate, please raise your hands. Against? Well, you can see for yourselves—a minority. So we shall end here the review of the question of intensifying the fight against organized crime.

Before moving on to the next point on the agenda, I give the floor to the leader of the Congress Secretariat Comrade Georgiy Korneyevich Kryuchkov for a brief report.

G.K. Kryuchkov, first secretary of the Ukrainion Communist Party Odessa Obkom [Oblast Party Committee], Odessa City (the Razdelyanskiy territorial electoral okrug, Odessa Okrug): Esteemed comrade people's deputies. On behalf of the Secretariat I would like to report very briefly some of the generalized figures characterizing the work of our Congress.

A total of 1,977 people's deputies have now registered to take part in the debates on the matters on the agenda for the Congress. A total of 427 have spoken. They included the representatives of all the union republics and 19 autonomous republics, eight autonomous oblasts and okrugs, all six krays and more than 40 oblasts in the Russian Soviet Federated Socialist Republic [RSFSR] and all its major economic regions, and the representatives of 28 public organizations. Those speaking have included 29 workers and rank-and-file kolkhoz [collective farm] farmers, which, in the opinion of the Secretariat, is not many, and also 123 leaders and specialists from enterprises and associations and kolkhozes and sovkhozes [state farms], 115 workers in science, education, culture, and public health, 78 soviet workers, 46 party workers, 11 trade union workers, two representatives of the All-Union Leninist Communist Youth League [Komsomol], 11 servicemen, and representatives of other strata in our society. There have been 38 women among those speaking. Two-thirds of the deputies who have spoken did not speak at the First USSR Congress of People's Deputies.

At the same time, statements have been made in the Secretariat by a number of people's deputies expressing dissatisfaction that it is often the same speakers who are heard from the rostrum, and even more at the microphones in the hall, and that they resort to this merely for the sake of once again setting forth their positions again, which everyone knows. More than 1,500 people's deputies have been unable to speak. Many of them have already submitted the texts or theses of their statements to the Secretariat. The Congress Secretariat and Presidium consider that the texts of statements on the main points of the agenda should be published from the stenographic record, as was done after the First Congress.

The Secretariat has done a great deal of work on general proposals and criticisms. They number about 1,700, including those contained in the texts and theses of statements submitted. They have all been systematized and passed to the appropriate editorial commissions. Of course, it is virtually impossible to reflect fully all the ideas and constructive proposals made at the Congress. The Secretariat deems it essential that after the Congress the USSR Supreme Soviet Presidium pass the proposals submitted to the appropriate state organs, and their full texts to the committees of the USSR Supreme Soviet, the commissions of the Supreme Soviet chambers, the USSR Council of Ministers, the All-Union Central Council of Trade Unions [AUCCTU] and the supreme soviets of the All-Union republics for use in their practical work.

During the work of the Congress about 1,300 submissions from people's deputies have been reviewed, including 214 collective submissions. They have all been passed on for review in the appropriate state organs and leading organs of public organizations.

Today at the morning session, a whole series of people's deputies submitted proposals to allocate funds due to deputies in January for new year gifts for children who are victims of the Chernobyl tragedy and of the earthquake in Armenia. We suggest that this proposal be fully supported by all people's deputies. (applause)

Many of the submissions raise major and fundamental issues. But there have also been many that contain

specific requests to help particular regions and particular enterprises in solving problems of material-technical supply, and concerning the construction of particular projects, allocation of funding, and so forth. It is difficult to get away from life, the more so since we have many problems and there is great pressure on deputies. But willy-nilly the people's deputies are being put in the position of suppliers and fixers, and dragging the Congress Secretariat into it also. This should be taken into account for the future.

Because of this, on behalf of the Secretariat we have been forced to raise another issue. More than 100 submissions were called deputy requests by their authors. Essentially, only nine or 10 of those submissions can really be called deputy requests. People's deputies have already received answers to some of them, which, to use their words, were satisfactory. At the same time, according to a report from the leadership of the USSR Council of Ministers, to which these requests were mainly addressed, additional time will be required to review the questions raised in some of these documents, and therefore a request has been made to extend the period for their review. The Congress Secretariat considers it possible to satisfy this request. In this connection I would like to say, comrades, that, as practical work at the congresses and in the Supreme Soviet has shown, the three-day period now established for responding to a request from a deputy is in many cases either unrealistic or makes the review only pro forma. Obviously it is necessary to make the corresponding provisions more precise so that procedure not be violated and in order to prevent formalism in this matter. We also suggest that the USSR Supreme Soviet should once again consider and somehow define what a deputy request is so that we do not lose or obliterate the difference between a request and a simple appeal. By the way, even in the state duma these matters were regulated much more precisely.

People's Deputy Sarayev has reported that no procedure has been worked out in the USSR Ministry of Railways and USSR Ministry of Civil Aviation for transport services for deputies. The ministers—Comrades Konarev and Volkov—must obviously take steps immediately.

The Secretariat has received 76 collective requests from people's deputies asking for their submissions to be circulated. A total of 39 of the submissions have been circulated in accordance with a decision of the Secretariat and Presidium. With the agreement of the people's deputies some of them have been passed to the USSR Government and appropriate committees and commissions of the USSR Supreme Soviet. During the days that the Congress has been in session more than 70 documents have been circulated in a total print run of about 170,000 copies, or more than 1 million pages, which is thrice the amount of materials circulated at the First Congress. It was not a simple matter for our services to complete this volume of work. The Congress Secretariat and Presidium have refrained from circulating submissions that because of their content or tone might have introduced unnecessary complications in the work of the Congress, exacerbate relations between particular groups of deputies, or whip up passions. Here we have been guided by the approach that was supported by the people's deputies right from the start of the Congress, and we have tried to maintain a businesslike and working atmosphere of goodwill at the Congress.

We have been forced once again to draw your attention to the fact that, without the agreement of the Secretariat and Presidium, the Congress is circulating a large quantity of materials that include publications containing inflammatory calls, slanders, and insulting remarks about the founder of our party Vladimir Ilich Lenin, malicious attacks against the CPSU and government and particular people's deputies, and the Congress as a whole, and even, you will forgive me, provocative obscenities. We emphasize that it is a question of slanderous, inflammatory, and essentially anti-Soviet or hooligan materials. This is utterly impermissible.

During these past days, at the request of people's deputies more than 120 meetings have been organized with members of the government and the leaders of various departments. Some 190 proposals and comments on matters on the agenda, and on procedural matters, have been submitted by people's deputies.

We have resolved all matters pertaining to the agenda, but, notwithstanding, there have been many requests for a vote on Article 6 of the USSR Constitution. We should clarify once again that the vote on this issue was a roll-call vote, that is, the position of each deputy was recorded and made known. Following publication in the bulletin of the report on the results of the voting on the request by individual deputies, at our decision clarifications naming them personally were added. There were no other submissions to the Secretariat on this subject. Accordingly, it is incorrect, to say the least, to cast doubts on the results of the voting.

With respect to procedure for the Congress sessions, very many comments have been made to the effect that some comrades have been trying the patience of deputies by involving them in debate of matters already settled. And it has been said that it is necessary to work in a more clear-cut manner.

Dissatisfaction has been voiced that scant time was allocated for statements on "other business." This was the result of well-known circumstances that placed everything within a rigid framework. Any solution to this is difficult unless the Congress is extended for another day or two.

Incidentally, more than 160 deputies registered to speak "on other matters." There were proposals that since very important issues are as a rule raised in "other matters," following the Congress the Supreme Soviet should be assigned to generalize all those proposals and take them into account as appropriate in practical work.

The Congress has received more than 50,000 letters and telegrams from citizens and labor collectives, and more than 2,500 requests by telephone, and more than 2,400 persons have been personally received. You, comrade deputies, have been given six reviews of the correspondence being received.

The content of the Congress mail testifies to the deep interest of Soviet people in the work of the highest organ of state power and in the matters with which it is dealing. Pluralism of opinion, the sharp nature of the debates, and the emotional charge at the Congress are, it must be said, eliciting an ambiguous response on the part of the public.

It is pleasing that the Congress mail is dominated by submissions on matters of state importance. One call to the deputies is heard insistently: Do not shrink from the radical problems of the life of society and do not permit the destruction of our federation; defend socialism and the party; and create for Soviet people working and living conditions that are worthy of the citizens of our great power.

In many of the submissions demands are being made to strengthen law and order and intensify the fight against crime, violations of labor discipline, and the manifestations of nationalism and chauvinism that in a number of regions are creating an explosive situation and eroding the unity and friendship of the people and creating major obstacles on the path of extricating the country from crisis.

It must be said in particular that hundreds of telegrams have been received in which the position of certain people's deputies who on the eve of the Congress called for an All-Union political strike is being condemned.

A large number of collective submissions are being made to the Congress, including some with thousands and even tens of thousands of signatures on the serious issues of concern to the populations in particular regions. About 40 percent of all correspondence is made up of requests of a personal nature.

All statements and complaints are reviewed on an immediate basis by the Congress Secretariat and its working groups, and are passed on as appropriate. Collective submissions on urgent matters of concern to large groups of people are reported to the Congress Presidium and the Supreme Soviet leadership, and these submissions are passed to the central organs and their review is monitored.

The Congress mail is providing extensive and exceptionally valuable material for comprehensive and objective consideration of the actual processes taking place in the country. The USSR Supreme Soviet should organize this work. Everything of value should be taken into account by the Supreme Soviet committees and the commissions of its chambers in their activity. Of course, we too, the people's deputies, should actively monitor how submissions submitted in our names are being handled.

You know, comrades, that we have now organized an information service for deputies. We have taken a major step in this direction, even though there are still many reserves, and there are shortcomings. But I can cite the following figures. Whereas at the First Congress polls showed that only four percent of deputies considered this of value, now 71 percent have expressed satisfaction with it.

All this time the Congress Secretariat has been working in an accelerated and well-organized manner, all decisions have been reached collectively, and we have not had to resort to a vote on any issue. Of course, during the process of the work various situations have arisen that have been resolved as we went along. It is understandable that not everyone is satisfied with some decisions, and the fact that 1,500 deputies have not spoken creates a certain background. We, the members of the Secretariat, were disturbed by the statement issued yesterday by People's Deputies Comrades Alferov, Poltoranin, and Murashev with respect to the signatures affixed to the statement issued on 21 December by the group of deputies from the interregional group of deputies on perestroyka today and in the foreseeable future. Let me remind you that Zhores Ivanovich wrote that his signature on that statement was a forgery. Comrade Poltoranin has reported that he did not sign the statement. Comrade Murashin claims that the long list of deputies is incorrect and was added as a postscript to an appeal to the Secretariat, and that the Secretariat is to blame for the fact that the thief has not been found.

Permit me, without going into detail, to clarify the situation. Both Comrade Alferov and Comrade Poltoranin, like a number of other deputies, signed not the text of the statement itself but the lists attached to the statement and submitted to this group in the Secretariat. And here the name of Comrade Poltoranin appeared twice, as, incidentally, did the names of Comrades Popov, Palm, Poluektov, Solntsev, Yablokov, and others, while Comrade Gorozhanin's name even appeared three times. If you do not believe this, here they all are.

I do not rule out the possibility that some comrades could have signed without reading the document. Zhores Ivanovich Alferov stated today when he came to us in the Secretariat that his name is indeed there, but not his signature. Then he returned a second time and said that it is not even like his signature. But this is what we received from the interregional group. Comrades, this is now a matter of morals and procedures asserted by a particular group. But for understandable reasons the Congress Secretariat is not going to get involved in this.

Incidentally, if so desired all this could have been easily explained by looking at the documents. Then there would have been no need to resort to insulting statements of the type "the Secretariat is to blame for this." I would like to state candidly that for us, the members of the Secretariat, our honor and good name are no less dear than for others.

In conclusion I would like to mention with gratitude the precise work done by all the services in the Congress' working apparatus.

Finally, the Congress Secretariat considers it necessary to make special mention of the fact that the USSR Supreme Soviet Presidium and the commission it set up made up of people's deputies have guaranteed the high standard of organizational preparations for the Congress. This largely predetermined the businesslike discussion of issues and the adoption of decisions that are of enormous and vital importance for the fate of our great multinational country. (applause)

Chairman: Is there anything more? Any questions? Then I think that we should appeal to the Secretariat. I think that we could have taken this report into consideration. (Noise in the hall.) What, a question? Your question, please.

From the hall: I would like a clarification: What does it mean to include in our stenographic record some of the materials submitted by those people's deputies who have not spoken? I do not understand this. Either the materials that have been submitted should be included, or those materials should be said aloud. In any event, practical proposals should be included. Why am I raising this question? I have been unable to speak. This means that I have been unable to bring to the Congress the questions from my electors. The pension issue has not been resolved, many people's minimum pensions have not been raised. The housing issue is very complex and I have proposals on that. I therefore would like an assurance that the materials submitted by those who have not spoken will be included in the appropriate Congress documents and reviewed.

Chairman: Can you respond? Please.

Kryuchkov: Yes, of course. I have already said that this proposal will be accepted: The texts or theses of speeches not presented on the basic points of the agenda will be included in the stenographic record of our Congress. And in parallel, or even earlier (since it takes six months to publish the stenographic record) the work will be organized, which had already begun, to generalize and implement the proposals in it.

Chairman: Comrades, we have a proposal to take this report under advisement and agree with the Secretariat's proposals.

From the hall: Yes.

Chairman: Any objections?

From the hall: No.

Chairman: I ask for a vote, a show of hands if possible. Please raise your hands. Abstentions? No. You have abstained? Do you have a question for Stankevich?

From the hall: (inaudible).

Chairman: Please, to the Secretariat. We have finished the debate on that matter.

From the hall: My question is not connected with our decision, it is fundamental. In violation of the Regulations an appeal from the group of people's deputies from the Estonian SSR with only five signatures was circulated as a Congress document. At the same time the regulations state that 20 signatures are required for such a document. Who made the decision to violate the Congress Regulations? I repeat, it seems to me that this is a fundamental issue and I would like to hear an answer.

Kryuchkov: The Secretariat made the decision.

From the hall: What was the justification for the Secretariat to violate the Congress' regulations?

Kryuchkov: The Secretariat deemed it possible to do this. (Noise in the hall.) And so I have answered the question.

Chairman: I think that the Secretariat formed its own opinion on a collegial basis. They can make such decisions. (Noise in the hall.)

From the hall: Please let me have the floor.

Chairman: Let us end the debate of this matter since we have little time. The floor is yours. Comrade Stankevich, you do not agree with this? Fine. I am giving the floor to Comrade Stankevich because he does not agree with the conclusion. He is the deputy chairman of the Secretariat. Please.

S.B. Stankevich, senior scientific associate at the USSR Academy of Sciences Institute of General History, Moscow City (the Cheremushkinskiy territorial electoral okrug): Esteemed chairman, esteemed people's deputies of the USSR. I have no objection in principle against the report that has been presented on behalf of the Secretariat, save one. Unfortunately, quite incomprehensible conflicts are arising about everything that the interregional group of deputies is doing and saying. In particular, the list that you have in your hands did not pass through the Secretariat at all. The interregional group of deputies did not insist that the list be circulated. Yesterday in the Secretariat we were informed that USSR people's deputies had anonymously and bypassing the Secretariat, submitted memorandums to the Presidium with a request that they be urgently circulated. That is, the deputies in the Secretariat knew nothing about it. It has become clear that this list was compiled with gross errors and was duplicated and circulated. The interregional group had nothing to do with it. It seems to me a pity that the leader of the Secretariat who spoke before me did not report this to you. Yesterday at the Secretariat session this information was available to all people's deputies.

Chairman: Comrade Kryuchkov, do you have a memorandum with a request to circulate it?

Kryuchkov: We have a memorandum from Comrade Yuriy Nikolayevich Afanasyev and two memorandums with a request that this document with all the signatures be circulated.

Stankevich: That is quite correct, with a request for circulation. And the statement was then circulated.

Kryuchkov: I should say, comrades, that our colleague was not at all the Secretariat meetings. He undoubtedly has many duties... (noise in the hall).

Stankevich: I beg your pardon, I have been present at enough meetings to be answerable for the words that I say from this rostrum. That I was honest enough to report to you what happened yesterday in the Secretariat, in my presence. Thank you.

Chairman: Comrades, let us end the debate.

Stankevich: Comrades, what I have said to you is important. And it seems to me worth taking under advisement.

Chairman: I think that we must end the debate on this matter. Comrades, we have reached a decision. No one else wishes to speak so let us make an end to it. [passage omitted]

Deputies Analyze Debates at Congress

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[Interview with USSR Supreme Soviet Committee Chairman Yuriy Ryzhov, USSR People's Deputy Aleksandr Gelman by MOSCOW NEWS deputy editor in chief Vitaliy Tretyakov; date, place not given: "Second Congress; Discussions in Kremlin—and in Society"]

[Text] The 2nd Congress of USSR People's Deputies supported the government's proposals to improve the economy through stages of economic reform and a principled approach to the 13th Five-Year Plan. The Regulations of the Congress of USSR People's Deputies and of the USSR Supreme Soviet were approved, as were the changes and additions to the USSR Constitution concerning the electoral system, and laws on the Status of USSR People's Deputies and on Constitutional Supervision were adopted as as the Resolution to step up the fight against organized crime. The Congress also produced statements on the Soviet-German Non-Aggression Pact of 1939, on the decision to move Soviet troops into Afghanistan in 1979, and on the events in Tbilisi on April 9, 1989.

How accurately did the debates at the 2nd Congress of USSR People's Deputies reflect public opinion today? Are we suffering from "parliamentary fatigue"? Who has the power at a time when everyone worships the slogan "All Power to the Soviets"?

MN Deputy Editor-in-Chief Vitaliy Tretyakov discussed these questions with Yuriy Ryzhov, chairman of a USSR Supreme Soviet committee, and Aleksandr Gelman, USSR people's deputy.

MN: Calls for unity were highly popular at the Congress. Is this unity feasible? Does it exist in our parliament and in society?

Gelman: If unity did not exist there would be no need to call for it. This call is a warning against extremes, not a hope for unity. Two trends—conservative and centrist—were clearly pronounced at the 2nd Congress, and it is these two forces that have real prospects in our society. There are very few extreme radical democrats and they, I believe, have no chance of success. The conservatives may team up with reactionaries and extremists of the Stalinist or nationalist type. The rapid disintegration of the old administrtive structures and the slow formation of new ones have enabled the conservatives to mislead the masses. Given this, the centre ought to calm down the left-wing ardour of the radicals and look for points of contact with them. I hope that the balanced, centrist position will prevail. Here I include Gorbachev, his colleagues in the leadership, a considerable part of the intelligentsia and the progressive part of the working-class movement, including miners, whose summer strikes were restrained and organized.

MN: did this rift reveal itself at the congress?

Gelman: Yes. Most strikingly in the discussions about the army. At this Congress, the military members of parliament were particularly active since many issues of the agenda related to them. The rift between conservatives and the centre was apparent on all issues, but especially on military ones—even among the military deputies themselves. Some officers spoke out in favour of a deep- going military reform. Glasnost with respect to the army's past and present problems reached a new and encouraging level.

Ryzhov: I tried to analyze the results of voting on particular issues at the Congress. And I concluded that in the radical- democratic wing there were roughly 400 persons, and in the ultra- conservative one also about 400. And in the centre, about a third gravitate towards radical-democratic sentiments, while two-thirds are those who tend to be conservative. The solutions proposed by radical democrats received a maximum of 850-870 votes. The most radical proposals received only about 200 votes, because there is stratification even among the radicals themselves. These proportions can, to a certain extent, be projected on society as a whole.

MN: But it is radical-democratic representatives who "led" the Congress. They raised the issue of Article 6 (on the Party's leading role) in the Constitution, of the military's power, of federalism vs the degree of sovereignty of the Union Reublics...

Gelman: Radicals ask the questions, but the decisions depend on the correlation of conservative and centrist

forces. The brass would have spoken out at this Congress in any case. They had prepared for the Congress. They did not hide this. Military conservatives rehashed some issues at the second to last Plenary Meeting of the CPSU Central Committee which, I gather, revealed the Party's top echelons.

MN: So the radical-democratic trend has no chance of success today?

Gelman: Indeed, the option is: the conservatives or the centre. Given this, radical democrats must support the centre without ceasing to criticize it.

Ryzhkov: Otherwise the conservative and moderate wings will go apart, the majority at the Congress and the minority of democratically-minded radicals. But it is still hard to say to what extent this trend mirrors the state of society. I think that even those responsible for decision making objective. It think that even those responsible for decision making do not know our society because their information is not completely objective. It seems to me that the tendency to adopt conservative versions of any proposal stems from this state of being tendentiously informed.

MN: Gorbachev has often said that he possesses full information on the state of society...

Ryzhkov: But he doesn't collect it himself. Someone does this for him, unwittingly interpreting it in a tendentious way. We are constantly being told that the radicals keep rocking the boat. Even if this is true, it's not only the radicals who are doing it. Take the question about a Committee of Constitutional Supervision. This question was clearly submitted from above, and it was obvious that it would only produce unnecessary strain at the Congress. I may be oversuspicious, of course, but when someone tries to persuade you that there is no dirty trick in it, you see the opposite.

Gelman: Most likely society is more radically-minded than the Congress was. But this radicalism can be used with equal success by both conservative and democratic forces. Therein lies the risk. Therefore I believe that the balanced centrist line is the safest one for perestroyka.

Ryzhkov: I keep thinking: have we bypassed the point at which a chaos-free transition to a democratic society was possible?

Gelman: I believe that society is still looking forward to some assessments, decisions and some specific steps which will show the real prospects for moving ahead. It expected these decisions from the 2nd Congress, but it disappointed many people.

Ryzhkov: Indeed, the congress should have said something definite about our future. It did not do this.

MN: Judging from the 2nd Congress, can it be said that power is gradually passing into the hands of soviet parliament?

Ryzhkov: No, it can't. At the end of the fall session of the Supreme Soviet I had the impression that our parliament's chances of taking power had improved, though the feeling of its being for show remained; during the 2nd Congress this feeling intensified. Which decisions pass? Those planned in advance.

Of course, all is well that has been planned well. But then what's the use of maintaining this costly scenery and trying to hold it responsible for decisions taken elsewhere?

The country's situation is very grave. When a plane has entered a spin, it starts falling in a chaotic way. To radically overcome this spin, the plane must be shifted into a dive, to spin it with an even a greater speed, then restore the effectiveness of the rudders which can then slow down the fall and allow the plane to regain attitude. But no one has honestly said this is this the way out, that this is a chance, but a chance through even swifter diving.

I understand that we may psychologically not be able to endure this diving. You may say: I'd rather die than chance a difficult recovery. But it's time we realized that our society is sick with cancer. With economic cancer.

Gelman: You've precisely defined two concepts. According to one, the disease is terrible, but the cure can be gradual. According to the other, it can't be gradual. Though I prefer the first approach, I feel the second one is inevitable. The government was supported to descibe the two ways more graphically, showing all the snags and pitfalls of both, and allow the congress and society the freedom to choose. Instead, the government confronted us with its final decision.

MN: But some conservatives have proposed a surgical operation, unlike the one proposed by radical democrats.

Gelman: Therein lies the drama of the situation. Today you can't choose without running a risk. It's only a matter of how bad the risk is. People expect serious changes rather then incremental steps. The leadership is summing up the first five years of perestroyka while society wants to know what happened over the past decades. The government takes meticulous account of the economic realities, but hardly considers the psychological ones. This could be more dangerous than a radical economic reform allowing for largely market relations.

MN: Does that mean you back what the democratic radicals propose?

Gelman: Radicals ready to come up with promising remedies cannot really assume the responsibilities given to the current parliament.

Ryzhov: None of today's structures, including those produced by perestroika, have such chances. Both what is acceptable and unacceptable are likely to be swept aside during the transition. The party responsible for the country's future says nothing definite in this sense. The monopolization of the mass media, on the other hand,

makes it impossible for people who have diverging views to win really massive support.

Gelman: Much of the problem is the one-party system. Without fundamental political alternatives, it is very difficult to break the vicious circle where ingrained egalitarianism precludes introduction of a market economy while the unwillingness to get on the road of a market economy perpetuates egalitarianism.

Ryzhov: The situation today is such that proponents of alternative solutions don't crave for power, sometimes they are being accused of. They aren't ready to make decisions—and don't aspire to. Their ambition is to advise, as equal partners, to those who are authorized to make the decisions. Instead, they are being denied that chance and called bad names.

MN: This means the present system denies one the chance to choose roads different from the one suggested from above.

Ryzhov: Hence the great disillusionment of the voters. As far as I know, the nominations of candidates for the upcoming elections in the Russian Federation are proceeding without any special verve. I think this is because people have become allergic to the game without rules being played in today's Soviet parliament. Voters and those asked to put down their names for nomination are aware of the deputies' lack of rights. It's a pity we spurn world experience, pretending there is none.

MN: Your forecast for the coming elections?

Gelman: On my recent trip to Sverdlovsk I had the impression that democratic forces have a good chance of succeeding.

Ryzhov: Yes, today the provinces may be in a more radical and democratic mood than the centre.

Gelman: Hence the conservative moods at the Plenary Meeting of the CPSU Central Committee in early December.

MN: What do you think of the split among Lithuania's Communists?

Gelman: What happened in Lithuania suggests an urgent need for the most far-reaching Party reform.

MN: I think that conservatives are being sly. They want to know who has Party cards of which colour, thus recognizing the existence of many parties while insisting on a monolithic one-party system.

Ryzhov: In physics any movement is only possible when there is potential difference. Likewise in society: If there is no opposition, there is no movement.

MN: You started by saying we were moving towards chaos, but it appears there are still chances for controlled movement in some areas.

Ryzhov: You just want to make me sound more optimistic than I can be today. Ignoring logic for the sake of pushing pre-established solutions through at the last congress does not inspire optimism.

Gelman: My mood at the Congress was rather gloomy the first days. I wanted to leave, to have no part of it. But now, on sober reflection, I discern several positive things. I've already mentioned the frank discussion of the military. The honest discussion of ethnic relations. It became clear that the tendency is to abridge the rights of the minority. It is very important that this dramatic reality was fully exposed. We gave little thought to this in the past. I think it is positive that the government realized that it will be solely responsible for the policy it follows. This is a good example for all our bodies of executive power. Most important, there was the discussion of the Tbilisi tragedy, the dramatic events in Romania, the condemnation of the Afghan adventure. All that calls for ways to strengthen the state's humane principles. While social, political and ideological struggle in society and the world is unavoidable, it should be waged in a humane way without violence or bloodshed. Contradictions are rife in our life, passions are running high so it is important to remember that there is nothing more precious than human life however great our principles.

MN: Is the country moving towards democracy and genuinely radical economic reform?

Gelman: There is some movement, but it's too slow. The 2nd Congress showed that the rate of change of our parliament differs greatly from the rate of change of social consciousness.

Ryzhov: I'd prefer to answer this question about the January Plenary Meeting of the CPSU Central Committee.

MN: Do you think that power rests mainly with the Party, rather than with the parliament?

Ryzhov: It rests fully with the Party.

Law on Status of USSR People's Deputies

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[Law on Status of USSR People's Deputies]

[Text] The people in the USSR exercise state power via the soviets in the person of their freely elected deputies. The deputies are the plenipotentiary and responsible representatives of the people called upon on the basis of their trust to express and defend in the soviets' public interests, guide the affairs of state and socioeconomic development, and direct and supervise the work of the machinery of state.

The deputies are the leading force of the people's self-administration in Soviet society. An indispensable principle of a deputy's activity is the utmost concern for the

needs of the electorate, the people's well-being, a strengthening of Soviet democracy and the concordance of the interests of the individual, social groups, classes, nations and the society as a whole.

The purpose of this law is to enshrine the principles of the status of all people's deputies in the USSR, their most important powers, guarantees of deputy activity, and the deputies' responsibility to the electorate or the public organizations that elected them and the creation of the necessary conditions for effective deputy work.

I. General Provisions

Article 1. The Deputy's Participation in the Exercise of State Power

The exercise by the soviet of people's deputies of state power is based on the enterprising and active participation in its work of each deputy.

Participating in the work of the soviets of people's deputies, the supreme soviets, and the local soviets of people's deputies and their bodies, the deputies decide the most important questions of state, economic and socio-cultural building, enact laws and other decisions of the soviets, and monitor the work of the state authorities, enterprises, establishments, and organizations.

The deputies are guided in their activity by the interests of the people and express and defend the interests of their electorate and the public organizations that elected them and also take account of the economic, cultural, national, and other salient features of the union and autonomous republic, autonomous oblast, autonomous okrug, and administrative-territorial formation on whose territory the deputies exercise their authority.

The deputy organizes his work in accordance with the laws of the USSR and the union and autonomous republic and also on the basis of the decisions of the corresponding soviets of people's deputies and the instructions of the electorate and the public organizations and strives to fulfill his election program.

Article 2. Legislation Governing the Deputy's Authority

The authority of people's deputies in the USSR is determined on the basis of the USSR Constitution by this law and also:

—Legislation of the USSR—for people's deputies of the USSR;

—Legislation of the union republics—for people's deputies of the union republics; and,

—Legislation of the union and autonomous republics—for people's deputies of the autonomous republics and local soviets of people's deputies.

Article 3. Origin and Term of the Deputy's Authority

In accordance with the USSR Constitution, the deputy acquires his authority as a result of his election to the soviet from the electoral okrug based on universal, equal, and direct suffrage, given a secret ballot or election from a public organization.

The deputy's authority begins as of the day he is elected people's deputy of the USSR and people's deputy of a union or autonomous republic or corresponding local soviet of people's deputies. The credentials commission elected by the congress of people's deputies, the supreme soviet of a union or autonomous republic where the formation of a congress is not envisaged, and a local soviet of people's deputies verifies the deputies' authority. In accordance with the submission of the credentials commission, the congress of people's deputies, the supreme soviet of the union or autonomous republic, and the local soviet of people's deputies adopts the decision on recognition of the deputies' authority, and in the event of the violation of election legislation, on recognition of the election of individual deputies as invalid.

The deputy's authority ends on election day for people's deputies of the USSR, people's deputies of the union and autonomous republics, and the new local soviet of people's deputies.

Article 4. Combination of Activity as a Deputy and Industrial and Office Duties

The deputy exercises his authority without, as a rule, breaking with his industrial or office activity.

Article 5. Relations of the Deputy and the Electorate and the Public Organization That Elected Him and the Deputy's Accountability and Responsibility to Them

The deputy elected from an okrug maintains relations with the electorate, the outfits and the public organizations that nominated him for deputy, and also with the outfits of other enterprises, establishments, organizations, and state and public authorities situated on the territory of his electoral okrug.

The deputy elected from a public organization maintains relations with its authorities and local outfits and with the population, enterprises, establishments, organizations, and state and public authorities at his place of residence and work.

The electorate and the public organizations give instructions to their deputies.

The deputy is responsible to the electorate or to the public organization that elected him and is accountable to them.

A deputy who has not justified the trust of the electorate or the public organization that elected him may be recalled in the procedure determined by law.

Article 6. The Deputy's Relations With the Soviet and Its Bodies

As the member of a collegial representative organ of state power, the deputy possesses the plenitude of rights ensuring his active participation in the soviet's activity and the committees, standing commissions and other bodies which it forms, is responsible to the soviet and performs commissions of the soviet and its bodies.

The soviet has the right to hear deputies' reports on their work in the soviet and on their fulfillment of the decisions and commissions of the soviet and its bodies.

In the event of a deputy's nonperformance of his duties in the soviet and his violation of the established work procedure of the representative body and the requirements of deputy ethics, the question of the deputy's conduct may be examined by the soviet or a corresponding commission of the soviet.

The presidiums and executive and administrative authorities of the corresponding soviets of people's deputies render the deputies the necessary assistance in their work, notify the deputies of the activity of the soviet and its authorities, the course of fulfillment of the plans of economic and social development, and realization of the instructions of the electorate and the public organizations and the measures adopted in respect to the deputies' critical observations and suggestions and contribute to deputies' study of Soviet legislation, the experience of the soviet's work and public opinion.

Article 7. Protection of the Rights, Honor, and Dignity of the Deputy

The Soviet State guarantees each deputy the conditions for the unimpeded and effective exercise of his authority and protects his rights, honor, and dignity.

Persons encroaching on the honor and dignity of the deputy may be arraigned on administrative or criminal charges in accordance with the law.

Officials of state and public authorities and enterprises, establishments, and organizations not fulfilling their duties to the deputy, impeding his work, presenting him with knowingly false information, and violating the guarantees of the deputy's activity are subject to disciplinary punishment up to and including dismissal from office or administrative and criminal proceedings in accordance with the law.

Article 8. Early Termination of a Deputy's Authority at the Decision of the Soviet

The deputy's authority is terminated early by a decision of the soviet adopted in connection with the election or appointment of a deputy to an office whose occupation is by law incompatible with the exercise of a deputy's authority or in connection with the conviction by a court of law taking effect in respect to a person who is a deputy and also in the event of a deputy's loss of USSR citizenship.

A deputy's authority may be terminated early in accordance with a decision of the soviet adopted in connection with the deputy's personal tendering of his resignation in view of circumstances impeding the exercise of his authority or for other personal reasons.

II. The Deputy's Activity in the Soviet

Article 9. The Deputy's Participation in the Work of the Congress of People's Deputies and in Sessions of the Soviet

At meetings of congresses of people's deputies and sessions of supreme soviets and local soviets deputies examine and decide on the basis of collective and free discussion most important questions within the province of the corresponding representative organ of state power.

The deputy is obliged to attend meetings of the congresses of people's deputies and sessions of the soviet and their bodies to which he has been elected and participate actively in their work. In the event of it being impossible to attend a meeting or session, the deputy notifies the soviet presidium or its chairman of this accordingly.

The presidiums of the soviets of people's deputies, and in city (cities of rayon jurisdiction), community and rural soviets, their chairmen, notify the deputy opportunely, within the time determined by the standing orders of the corresponding soviets, of the time of the convening and venue of the congress of people's deputies and the session of the soviet and the questions submitted for their examination and make available to him all the necessary material on these questions.

Article 10. Rights of the Deputy at Meetings of the Congress of People's Soviets and Sessions of the Soviet

The deputy enjoys the right to vote on all questions examined at a meeting of the congress of people's deputies and a session of the supreme soviet or local soviet of people's deputies. A USSR people's deputy and people's deputy of a union and autonomous republic who is not a member of the supreme soviet may participate in meetings of the supreme soviet on a nonvoting basis.

The deputy has the right:
—To elect and be elected to the bodies of the soviet;
—To propose questions for examination by the soviet;
—To submit proposals and observations pertaining to the agenda and the procedure of examination and essence of the questions to be discussed;
—To submit draft decisions and amendments thereto;
—To express his opinion on the personal composition of the bodies being created by the soviet and the candidacies of officials being elected, appointed or confirmed by the soviet;
—To participate in debate, address inquiries, and ask questions;
—To speak in justification of his proposals and on the reasons for his vote and provide information; and,

—To submit proposals concerning the hearing at a meeting of the congress of people's deputies and a session of the supreme soviet and local soviet of people's deputies of the account or information of any authority or official accountable to or under the supervision of the soviet.

The deputy may on a question discussed at a meeting or session convey to the chairman the text of his speech, proposals, and observations for inclusion in the minutes of the meeting and session.

The procedure of realization of the said rights is determined by this law and the standing orders of the corresponding soviet.

Article 11. The Right of a Deputy To Raise the Question of Confidence in the Bodies Formed or Elected by the Soviet and in Officials

The deputy has the right, in accordance with legislation of the USSR and the union and autonomous republic, to raise in the soviet the question of confidence in the bodies formed or elected by the soviet or in officials whom they have elected, appointed, or confirmed.

Article 12. Right of Legislative Initiative of People's Deputies of the USSR and People's Deputies of the Union and Autonomous Republics

The people's deputy of the USSR and the people's deputy of the union and autonomous republic has the right of legislative initiative in the corresponding soviet of people's deputies and in the supreme soviet.

The right of legislative initiative is exercised in the procedure determined by laws of the USSR and the union and autonomous republic.

Article 13. The Deputy's Inquiry

The deputy's inquiry is a demand put at a session of the soviet to the state authorities and officials for an official explanation or exposition of the position on questions of public significance.

The people's deputy of the USSR and the people's deputy of the union and autonomous republic have the right at meetings of the congress of people's deputies and sessions of the supreme soviet to address an inquiry to the USSR Supreme Soviet Presidium, the chairman of the USSR Supreme Soviet, the USSR Council of Ministers, the presidium of the supreme soviet, the chairman of the supreme soviet, and the council of ministers of the union and autonomous republic and to the leaders of other state authorities formed or elected by the Congress of USSR People's Deputies and the USSR Supreme Soviet and the congress of people's deputies and the supreme soviet of the union and autonomous republic respectively.

The people's deputy of the union and autonomous republic also has the right to address an inquiry to the leaders of the enterprises, establishments, and organizations of union jurisdiction located on the territory of the corresponding republic on questions within the province of the republic, and the people's deputy of an autonomous republic, also to the leaders of the enterprises, establishments, and organizations of republic (union republic) jurisdiction located on the territory of the autonomous republic on questions within the province of the autonomous republic.

The deputy of the local soviet has the right to address an inquiry to the soviet presidium, the soviet chairman, the executive committee, and the leaders of its departments and administrations and also to the leaders of the enterprises, establishments, and organizations located on the territory of the soviet on questions within the province of the corresponding soviet.

An inquiry may be submitted by a deputy or group of deputies in writing or orally. An inquiry submitted in writing is to be read out at a meeting of the congress or session of the soviet.

The state authority or official to whom the inquiry is addressed is obliged to provide a verbal or written answer to the inquiry at a meeting of the congress of people's deputies or a session of the soviet within the timeframe and in the procedure determined by laws of the USSR and the union and autonomous republic. The inquiry, the answer thereto, and the decision adopted by the soviet on the results of examination of the inquiry are published.

The soviet has the right to oblige the state authority or official to present within the time determined by the soviet an account of fulfillment of the decision pertaining to the deputy's inquiry.

Article 14. Procedure of the Examination of Deputies' Proposals and Observations Submitted at Meetings of the Congress of People's Deputies and a Session of the Soviet

The proposals and observations expressed by deputies at a meeting of the congress of people's deputies or a session of the soviet or conveyed in writing to the chairman at a meeting or session are examined by the soviet and its committees or commissions or forwarded for examination by the pertinent state and public authorities and officials.

The state and public authorities and aiso the officials to whom the deputies' proposals and observations submitted at a meeting of the congress of people's deputies or a session of the soviet have been forward are obliged within a period of no longer than than one month to have examined these proposals and observations and to have communicated the results directly to the deputy and also the presidium or chairman of the soviet, the council of ministers, and the soviet executive committee accordingly.

Supervision of the examination and realization of the deputies' proposals and observations are exercised by

the soviet presidium, council of ministers, and soviet executive committee respectively.

Article 15. The Deputy's Participation in the Work of Soviet Bodies

A deputy who is a member of the soviet presidium and committee, standing commission, and other bodies of the soviet has the right to submit any questions and proposals for examination by the said bodies and participate in their preparation for examination, in their discussion, and in the adoption of decisions thereon and also in the organization of the implementation of the decisions of the soviet and its bodies and in supervision of their fulfillment.

A deputy who disagrees with the decision of a body of the soviet of which he is a member has the right to set forth his viewpoint at a meeting of the congress of people's deputies or a session of the soviet or communicate in writing to the chairman.

A people's deputy of the USSR and a people's deputy of the union and autonomous republic who is not a member of the supreme soviet and who has been elected to a committee or standing commission participates in the work of the committee or standing commission with the right to vote.

A people's deputy of the USSR and a people's deputy of the union and autonomous republic who is not a member of a committee or standing commission may participate in a meeting of the committee or standing commission on a nonvoting basis.

A deputy has the right to join permanent or temporary groups of deputies being formed in the soviet and is free to withdraw from them as he wishes.

Article 16. Participation of the Deputy in Inspections of the Work of State and Public Authorities, Enterprises, Establishments, and Organizations

At the behest of the soviet or its bodies a deputy may participate in inspections of the work of state and public authorities, enterprises, establishments, and organizations located on the territory of the soviet on questions within the province of the soviet, familiarize himself with the necessary documents, and conduct a deputy's investigation. The deputy notifies of the results of the inspection the soviet and its bodies and also the appropriate state and public authorities, enterprises, establishments, and organizations and, if necessary, submits proposals concerning an improvement in their work, removal of the shortcomings that have been ascertained, revocation of unlawful decisions, and the institution of proceedings against persons guilty of a violation of state discipline and legality.

The deputy has the right to raise in the soviet and its bodies the question of the need for conducting inspections of the work of the state and public authorities, enterprises, establishments, and organizations located on the territory of the soviet and of investigations in the procedure determined by law on any issue.

III. Activity of the Deputy in the Electoral Okrug and in the Public Organization

Article 17. Rights of the Deputy in Connection With Work in the Electoral Okrug and in the Public Organization That Elected Him

In their electoral okrugs and in the public organizations which elected them the deputies have the right:

—To participate at the time of the examination in organs of state administration and bodies of the corresponding public organizations of any questions affecting the essential interests of citizens in the electoral okrugs and members of the public organizations; these bodies are obliged to opportunely notify the deputies of the examination of such questions;

—To inspect on their own initiative with the enlistment, if necessary, of the public and people's control officers information which has become known to them from the appeals of citizens, organizations, and other sources concerning violations of laws and the rights and legitimate interests of the citizens and organizations and manifestations of red tape and bureaucracy, obtain the necessary information for this and require of the corresponding organizations and officials an end to the violations that have been uncovered;

—To conduct gatherings and conferences of the electorate of the okrug and meetings with the work force, local outfits, and local bodies of public organizations; to participate in meetings of public self-management authorities and in meetings of soviet and industrial activists, the work force and citizens at the place of residence.

The deputy has preference in speaking on questions of his deputy activity on local radio and television and writing in the local press and in periodical publications of the public organization that elected him. No editing of the material that the deputy has submitted for publication is allowed without his consent.

Article 18. The Deputy's Duties in Connection With Work in the Electoral Okrug and in the Public Organization That Elected Him

In their electoral okrugs and in the public organizations that elected them the deputies are obliged:

—To regularly keep the population, the local outfits, and the local bodies of the public organizations in the corresponding regions that elected them informed about the work of the congresses of people's deputies, supreme soviets, and local soviets of people's deputies and the fulfillment of the plans and programs of economic and social development, the decisions of the soviets, and the instructions of the electorate and also of their election programs;

—To participate in the organization and supervision of the fulfillment of laws and decisions of the soviet and its bodies;

—To study public opinion and the needs and requirements of the population and the public organizations, to notify the soviets and its bodies of them and submit proposals and adopt other measures for their satisfaction; and,

—To contribute to the development of various forms of self-management and social assertiveness of the citizens and their enlistment in the management of state and public affairs.

Article 19. The Deputy's Examination of the Citizens' Proposals, Statements, and Complaints

The deputy examines the proposals, statements, and complaints of the electorate and the members of the public organization that elected him which he has received and adopts measures for their correct and timely solution; regularly holds surgeries for the citizens in localities of his electoral okrug, and the deputy from a public organization, at his place of residence or work or elsewhere, as determined by the deputy. He has the right to invite to participate in surgeries for the citizens officials of state and public authorities and enterprises, establishments, and organizations located on the territory of the electoral okrug.

The deputy studies the factors which gave rise to the complaints and submits his recommendations to the congress of people's deputies, the supreme soviet, the local soviet of people's deputies, the bodies of the public organization that elected him, and other state and public authorities and enterprises, establishments, and organizations.

The deputy has the right to exercise superivision of the examination of the proposals, statements, and complaints that he has forwarded to state and public authorities and enterprises, establishments, and organizations located on the territory of the soviet and to participate personally in their examination. Officials of state and public authorities and organizations are obliged to assist the deputy in his supervisory activity.

Article 20. Reports of the Deputy to the Electorate and the Public Organization

The people's deputy of the USSR and the people's deputy of the union and autonomous republic periodically, but not less than once a year, and the deputy of the local soviet, not less than twice a year, are obliged to render an account of their work, the progress of fulfillment of the election program and instructions and of the work of the soviet and the bodies to which he has been elected to the electorate, the work force, and the public organizations that nominated him and to the public organization that elected him. A deputy may render account also at the demand of the electorate or the members of the public organization that elected him in the procedure determined by laws of the USSR and the union and autonomous republic.

The deputies' reports are delivered at meetings of the electorate convened for this purpose and also at conferences of delegates of the electorate of a given electoral okrug or of members of the public organization that elected him.

The meeting or conference at which the deputy's report is heard adopts a decision containing the electorate's proposals and observations for the deputy, which is conveyed to the electorate of the okrug or the members of the public organization that elected him.

Article 21. Assistance to the Deputy in the Rendering of Account and Meetings With the Electorate and Members of the Public Organization

Meetings and conferences of the electorate and members of public organizations for receiving the reports of the deputies and meetings with them are convened by the presidiums of the soviets, the workforce councils, and the local bodies of public organizations and public self-management authorities.

The deputy is provided with the necessary conditions for rendering an account and meeting the electorate and members of the public organization that elected him. To this end the presidium or executive committee of the corresponding soviet, the local bodies of the public organization, and the management and public organizations of enterprises, establishments, and organizations allocate premises, notify the citizens of the time and venue of the deputy's report, his meetings with the electorate and members of the public organization and the deputy's surgery for the citizens, send at the deputy's invitation their responsible representatives to participate in the surgeries and meetings and also adopt other measures to assist the deputy in his work locally.

Reference and information material necessary for the reports and speeches is made available to the deputy at his request by the presidium of the soviet or executive committee of the soviet whose deputy he is, the presidiums or executive committees of soviets located on the territory of the electoral okrug, and the bodies of the public organization that elected him accordingly. **Article 22. The Deputy's Participation in the Work of the Subordinate Soviets**

The deputy has the right on the territory of the soviet to which he has been elected to participate on a nonvoting basis in meetings of subordinate soviets and their bodies.

Article 23. Deputy's Appeals

A deputy has the right to appeal to all state and public authorities, enterprises, establishments and organizations, and officials on matters connected with deputy activity and to participate in the examination of the questions that have been raised. The said authorities and officials are obliged to provide the deputy with an

answer to his appeal immediately, and given the need for additional study or verification, within a month.

Deputies' appeals on the most important matters, on the need for the adoption, alteration, or cancellation of a decision of the corresponding authority included, are to be examined by the presidiums of the soviets, the executive committees of the soviets, the boards of ministries, state committees and departments, and councils of ministers accordingly. The deputy must be notified ahead of time of the day of the examination.

Article 24. Right of the Deputy to an Immediate Reception by Officials

On questions of deputy activity the deputy enjoys the right of unimpeded visit on the territory of the soviet to state and public authorities and enterprises, establishments, and organizations and also the right of immediate reception by their leaders and other officials.

The procedure of the deputies' visits to organizations whose activity is connected with a state and other secret protected by law is determined by law.

Article 25. Right of the Deputy To Demand an End to Violations of Legality

Encountering a violation of the rights and interests of citizens protected by law or some other breach of legality, the deputy, as the representative of state power, has the right to demand on the spot an end to the violation and, if necessary, to demand of the corresponding bodies and officials the termination of such violations. The fact of the violation may be recorded in a deposition drawn up by the deputy or, as he demands, by a representative of the pertinent law enforcement or control authority.

Officials of state and public authorities and the management of enterprises, establishments, and organizations and also the police officers to whom the deputy's demand is made are obliged to immediately adopt measures to terminate the violation and, if necessary, to institute proceedings against the guilty parties with subsequent notification of the deputy of this. In the event of a failure to adopt measures, the officials face disciplinary or criminal punishment under the procedure determined by law.

Article 26. Groups of Deputies

For joint work in the electoral okrugs, work force and public organizations pertaining to the exercise of their authority the deputies may, on the basis of their mutual consent, unite in groups of deputies.

IV. Organization of Work With the Instructions of the Electorate and the Public Organizations

Article 27. Instructions to the People's Deputies

The instructions are commissions adopted at meetings with the candidates for deputy by gatherings or conferences representing the electorate of the okrug, and given elections from public organizations, also by congresses, conferences, or plenums of their All-Union or republic bodies.

Commissions whose realization is within the province of All-Union authorities are regarded as instructions to people's deputies of the USSR, and to people's deputies of the union and autonomous republics and the local soviets of people's deputies, within the province of the corresponding republic or local authorities.

The candidates for deputy have the right not to accept as an instruction a proposal submitted by a gathering or conference of the electorate if it is contrary to his election platform.

Article 28. Preparation and Adoption of Instruction Decisions

The collation and preliminary examination of instructions to people's deputies of the USSR and people's deputies of union and autonomous republics and local soviets of people's deputies are performed by the USSR Supreme Soviet Presidium and USSR Council of Ministers, the presidiums of the supreme soviets and councils of ministers of the union and autonomous republics, and the presidiums and executive committees of the local soviets of people's deputies respectively with regard for the proposals and observations of the committees and standing commissions of the soviets of people's deputies.

The soviets of people's deputies make decisions on the adoption of instructions to be discharged. The soviet has the right to adopt a substantiated decision on the inexpediency of the fulfillment of individual instructions.

The soviets of people's deputies take into account the instructions when drawing up plans of economic and social development and compilation of the budget and also when preparing decisions on other questions. Measures pertaining to their realization are distinguished in the plans and the budget in a special section.

Article 29. Organization of the Fulfillment of Instructions

The fulfillment of instructions adopted for discharge by the USSR Supreme Soviet is ensured by the USSR Council of Ministers and other state and public authorities; the instructions adopted for discharge by the supreme soviets of the union and autonomous republics and local soviets of people's deputies, by their executive, administrative, and other republic and local authorities.

The proposals contained in the instructions to the candidates not elected deputies in the course of the elections are forwarded to the appropriate authorities and officials for examination and the adoption of measures.

Supervision of the fulfillment of the instructions given people's deputies of the USSR is exercised by the USSR Supreme Soviet; to people's deputies of the union and

autonomous republics, by the supreme soviets of the union and autonomous republics; and to people's deputies of the local soviets of people's deputies, by the corresponding soviets of people's deputies.

Not less than once a year the executive and administrative authorities report to the soviets of people's deputies on the course of fulfillment of the decisions pertaining to the instructions.

Article 30. The Participation of the People's Deputy in Work With the Instructions

The people's deputies participate in the elaboration and discussion of measures pertaining to realization of the instructions, exercise supervision of their fulfillment, and regularly inform the electorate and the public organizations about the course of fulfillment of the instructions.

Article 31. Glasnost in the Work With Instructions

Decisions of the USSR Supreme Soviet and the supreme soviets of the union and autonomous republics and the local soviets of people's deputies adopted in respect of instructions are compulsorily publishable.

The media illustrate the course of fulfillment of the instructions of the electorate and the public organizations.

V. Basic Guarantees of Deputy Activity

Article 32. Provision of the Conditions for a Deputy's Exercise of His Authority

The soviet, other state and public authorities, enterprises, establishments, and organizations and their officials ensure the conditions for a deputy's exercise of his authority.

The presidium of the soviet and the executive committee of the soviet ensure for the deputies the possibility of the use of premises for participation in the work of the congress of people's deputies, the supreme soviet, the local soviet of people's deputies, their committees and standing commissions, and groups of deputies respectively and also library collections and archives of the soviets, the media and the computers, office equipment, copiers and duplicating machinery, and printing equipment in the soviet. The enterprises, establishments, and organizations located on the territory of the local soviet assist the soviet in the use of their computers, office equipment, copiers and duplicating machinery, and printing equipment for supporting deputy activity.

State and public authorities and enterprises, establishments, and organizations assist the people's deputies of the USSR in the exercise of deputy activity in organizing their tours of the electoral okrug, in making transport available to them, and in providing them specially with hotel accommodations. The people's deputies of the USSR working permanently in the USSR Supreme Soviet are granted, if necessary, official living accommodation for the whole period of this work.

The people's deputy of the USSR has the right to have secretarial assistants on the staff of enterprises, establishments, and organizations or incorporated at the deputy's request in the list of staff of the executive committees of the local soviets for rendering him office and scientific-advisory assistance in the exercise of deputy authority. For closer ties to the population and the public organization and for obtaining permanent assistance in his work a deputy may have assistants on a volunteer basis.

The procedure of supporting the activity of people's deputies of the USSR and people's deputies of the union and autonomous republics is determined by the USSR Supreme Soviet and the supreme soviets of the union and autonomous republics respectively.

Regulations governing the USSR people's deputies' secretarial assistants are confirmed by the USSR Supreme Soviet.

Article 33. Exemption of the Deputy from Industrial or Office Duties and Reimbursement of Expenditure Associated With Deputy Activity

For the time of meetings of the congress of people's deputies and sessions of the supreme soviet or local soviet of people's deputies and also for the exercise of deputy authority in other instances envisaged by law the deputy is released from the performance of industrial or office duties with the reimbursement of his expenditure associated with deputy activity from the resources of the corresponding state or local budget.

The people's deputy of the USSR has the right of exemption from the performance of industrial or office duties for the period necessary for the deputy to exercise his deputy activity.

The instances and procedure of reimbursement to people's deputies of the USSR of expenditure associated with the exercise of deputy authority and also the procedure of the granting of leave for people's deputies of the USSR working permanently in the USSR Supreme Soviet are determined by the USSR Supreme Soviet.

Article 34. Right of a Deputy To Obtain Information and Advice; Legal Assistance to the Deputy

The presidium of the soviet and executive committee of the soviet provide the deputy with the documents adopted by the congress of people's deputies, the supreme soviet, or the local soviet of people's deputies, official publications and briefing material of the soviet and its bodies.

State and public authorities and the management of enterprises, establishments, and organizations located on the territory of the soviet are obliged at the deputy's request to provide for him briefings by specialists on questions connected with deputy activity and to make

available without delay, and if this is not possible, within no more than one month, the information he needs.

The presidium of the soviet, the executive committee of the soviet, and the management of enterprises, organizations, and scientific, educational, and legal establishments provide the deputy with assistance on legal questions arising from his deputy activity.

Article 35. The Deputy's Right to Free Travel

The people's deputy of the USSR on the territory of the USSR and the people's deputy of the union and autonomous republic on the territory of the corresponding republic enjoy the right of free travel on all domestic rail, motor, water, and air routes and on all forms of urban mass transit (except taxis).

The deputy of the soviet of people's deputies of an autonomous oblast and autonomous okrug and kray, oblast, rayon, city, city rayon, community, and rural soviet enjoys on the territory of the kray, oblast, okrug, rayon, city, community, and rural soviet respectively the right of free travel on motor or water transport of republic jurisdiction and on all forms of urban mass transit (except taxis), and a deputy of the soviet of people's deputies of an autonomous oblast and autonomous okrug and kray, oblast, and rayon soviet, on rail and air transport also.

The procedure and conditions of the free travel of people's deputies of the USSR and people's deputies of the union and autonomous republics and the local soviets of people's deputies, the procedure for the payments to the transport organizations connected with this and also the conditions of the deputies' use of personal motor transport in connection with the exercise of deputy activity are determined by the USSR Council of Ministers and the union republic councils of ministers.

Article 36. Protection of the Labor Rights of the Deputy and the Rights of the Serviceman Deputy

A deputy may not at the initiative of the management (command) be dismissed from his job at an enterprise or in an establishment and organization or from active military service or expelled from a kolkhoz [collective farm] (other cooperative) or educational institution or transferred by way of disciplinary punishment to lower-paid work (demoted) without the prior consent of the soviet.

A deputy exempted from his industrial or office duties as a consequence of his election to a soviet or bodies thereof is upon expiration of the term of his authority given back his previous job (employment) or, if it no longer exists, another equivalent job (employment).

The time that the deputy works in the soviet and its bodies is counted as part of his total and continuous length of service and length of service (employment) in his special field.

Article 37. Deputy Inviolability of People's Deputies of the USSR and People's Deputies of the Union and Autonomous Republics

The people's deputy of the USSR and the people's deputy of a union republic may not be arraigned on a criminal charge, arrested, or subjected to measures of administrative punishment imposed in legal form without the consent of the USSR Supreme Soviet and supreme soviet of the union republic respectively.

The people's deputy of an autonomous republic on the territory of the autonomous republic and also on the entire territory of the union republic in which the autonomous republic is located may not be arraigned on a criminal charge, arrested, or subjected to measures of administrative punishment imposed in legal form without the consent of the supreme soviet of the autonomous republic.

Criminal proceedings may be instituted regarding a people's deputy of the USSR and a people's deputy of a union and autonomous republic only by the USSR prosecutor general and the prosecuting attorney of the union and autonomous republic respectively.

Article 38. Deputy Inviolability of Deputies of Local Soviets of People's Deputies

The deputy of a soviet of an autonomous oblast and autonomous okrug on the territory of an autonomous oblast or autonomous okrug and also on the entire territory of the union republic, kray, or oblast respectively in which the autonomous oblast or autonomous okrug are located may not be arraigned on a criminal charge, arrested, or subjected to measures of administrative punishment imposed in legal form without the consent of the soviet to which he has been elected.

The deputy of a kray, oblast, rayon, city, city rayon, community, and rural soviet of people's deputies may not on the territory of the corresponding soviet be arraigned on a criminal charge, arrested, or subjected to measures of administrative punishment imposed in legal form without the consent of the corresponding soviet.

The procedure of bringing criminal charges against a deputy of a local soviet of people's deputies is determined by legislation of the USSR and the union republics.

Article 39. Procedure of Obtaining the Soviet's Consent to the Arraignment of a Deputy

To obtain the consent of a soviet to the arraignment of a deputy on a criminal charge, his arrest, or the imposition of measures of administrative punishment imposed in legal form the corresponding prosecuting attorney makes a submission to the soviet. It may be presented to a superior prosecuting attorney also.

The submission is made prior to the deputy being indicted or approval for his arrest being given or a case involving an administrative offense being sent for trial.

The superior prosecuting attorney may recall application for consent to the arraignment of a deputy submitted to the soviet by a subordinate prosecuting attorney.

The soviet examines the prosecuting attorney's submission within a month and may request of the prosecuting attorney additional material necessary for deciding on the question raised in the submission. The soviet adopts a substantiated decision and notifies the prosecuting attorney thereof within three days. The soviet may, given grounds, revise its decision. The deputy has the right to participate in the soviet's examination of the question of his deputy inviolability.

If disagreeing with the decision of the local soviet of people's deputies, the superior prosecuting attorney has the right to make a submission accordingly to a superior soviet on revocation of the decision and the return of the question for reexamination by the pertinent soviet. A rayon or municipal prosecuting attorney also has the right to make a submission to the rayon or city soviet respectively concerning revocation of the decision of a rural, community, and city (city of rayon jurisdiction) soviet and the return of the question for reexamination. If the soviet upholds the original decision, the question may be decided on its merits by the oblast and kray soviet of people's deputies upon submission by the oblast, kray, or republic prosecuting attorney.

If the submission of the prosecuting attorney made in the procedure stipulated by this article is not examined by the local soviet of people's deputies within one month, the superior soviet adopts measures upon the submission of the corresponding or a superior prosecuting attorney to ensure its immediate examination.

The prosecuting attorney who made the submission to the soviet is obliged within three days following the proceedings to communicate to the soviet which gave its consent to the arraignment of the deputy or to his arrest the results of the investigation or hearing of the case.

Obtaining consent for the arraignment on criminal charges of a deputy of a local soviet of people's deputies, for his arrest, or for the application of measures of administrative punishment imposed in legal form is not required if the crime or administrative offense was perpetrated by the deputy outside of the territory of the soviet to which he has been elected, and by a people's deputy of an autonomous republic, outside of the territory of the union republic in which the autonomous republic is located, and if the deputy himself is outside of this territory. In cases where as of the time of the decision on the question of the arraignment on criminal charges, arrest, or application of measures of administrative punishment imposed in legal form the deputy of a local soviet of people's deputies is on the territory of the soviet to which he has been elected, and the people's deputy of an autonomous republic, on the territory of the union republic in which the autonomous republic is located, such consent is obtained in the procedure determined by this article.

Article 40. The Deputy's ID and Deputy's Badge

The deputy has a deputy's ID and deputy's badge, which are issued to him following the soviet's recognition of the deputy's authority. The deputy possesses the deputy's ID and badge for the term of his authority.

Regulations governing people's deputies' ID's and badges and also specimen ID's and badges are confirmed:

—For people's deputies of the USSR by the USSR Supreme Soviet Presidium;

—For people's deputies of the union and autonomous republics and deputies of the local soviets of people's deputies by the presidiums of the supreme soviets of the corresponding union and autonomous republics.

[Signed] M. Gorbachev, chairman of the USSR Supreme Soviet.

The Kremlin, Moscow, 21 December 1989.

Standing Orders for People's Deputies

90US0354A Moscow IZVESTIYA in Russian 29 Dec 89 Morning Edition pp 1-5

[Standing Orders of Congress of USSR People's Deputies and USSR Supreme Soviet]

[Text] Section I. General Provisions

Article 1. In accordance with the USSR Constitution, the highest organ of state power of the USSR is the Congress of USSR People's Deputies, which is competent to accept for its examination and to decide any question within the jurisdiction of the USSR.

The term of authority of the Congress of USSR People's Deputies is five years.

The USSR Supreme Soviet is the permanent legislative, administrative and supervisory organ of state power of the USSR consisting of chambers equal in numerical composition and status: the Soviet of the Union and the Soviet of Nationalities.

Upon the expiration of the term of authority of the Congress of USSR People's Deputies the USSR Supreme Soviet preserves its authority right up to the formation of the new USSR Supreme Soviet elected by the Congress of USSR People's Deputies.

The procedure of the activity of the Congress of USSR People's Deputies and the USSR Supreme Soviet and their bodies is determined by these standing orders and other laws of the USSR promulgated on the basis of the USSR Constitution.

Article 2. The activity of the Congress of USSR People's Deputies and the USSR Supreme Soviet is based on the collective; free discussion and solution of questions; glasnost; responsibility and accountability to the Congress of USSR People's Deputies and the USSR Supreme Soviet of the bodies which they create and appointed or

elected officials; legality; the extensive enlistment of the citizens in the management of state and public affairs; and the constant consideration of public opinion.

Article 3. In the activity of the Congress of USSR People's Deputies and the USSR Supreme Soviet the USSR people's deputy is accorded conditions for the unimpeded and effective exercise of his rights and duties determined by the USSR Constitution, the laws of the USSR on the status of people's deputies, these standing orders and other laws of the USSR.

Section II. Procedure of the Work of the Congress of USSR People's Deputies

Chapter 1. Meetings of the Congress of USSR People's Deputies

Article 4. In accordance with Article 110 of the USSR Constitution, the newly elected Congress of USSR People's Deputies is convened by the USSR Supreme Soviet for its first meeting within two months following the elections.

Meetings of the Congress of USSR People's Deputies are convened by the USSR Supreme Soviet no less than once a year.

A resolution of the USSR Supreme Soviet on the convening of the Congress of USSR People's Deputies is published no later than 30 days prior to the opening of the congress with an indication of the issues which are contemplated for submission for its examination.

The USSR Supreme Soviet Presidium forwards to the USSR people's deputies draft laws and decrees and other documents and material on questions submitted for discussion by the next Congress of USSR People's Deputies no later than two weeks prior to the opening of the congress.

Article 5. Special meetings of the Congress of USSR People's Deputies are convened by the USSR Supreme Soviet on its own initiative and in accordance with a proposal of a chamber of the USSR Supreme Soviet, the USSR Supreme Soviet Presidium and the chairman of the USSR Supreme Soviet and no less than one-fifth of the USSR people's deputies or at the initiative of a union republic in the shape of its highest organ of state power.

Proposals concerning the convening of a special congress are forwarded to the USSR Supreme Soviet or the USSR Supreme Soviet Presidium in writing with an indication of the issues for whose examination it is proposed to convene the congress and a brief substantiation of the need to convene it.

The decree of the USSR Supreme Soviet on the convening of a special Congress of USSR People's Deputies is adopted within two weeks of the receipt of the proposal concerning the convening of the congress and is published for general consumption with an indication of the issues which are contemplated for submission for examination by the congress.

The USSR Supreme Soviet Presidium forwards to the USSR people's deputies material on the questions which are contemplated for examination at the special congress within a week prior to its opening.

Article 6. A notice on the time and place of the Congress of USSR People's Deputies and also on the place and time of registration of the USSR people's deputies attending the congress is published within five days prior to its opening in the newspaper IZVESTIYA SOVETOV NARODNYKH DEPUTATOV SSSR and other newspapers and is carried on television and radio.

In the event of it not being possible to attend a congress, the people's deputy of the USSR communicates this to the USSR Supreme Soviet Presidium prior to the opening of the congress.

Article 7. A meeting of the Congress of USSR People's Deputies is competent if no less than two-thirds of the total number of USSR people's deputies are present.

The USSR people's deputies attending the meeting are registered prior to each meeting.

Article 8. For preliminary discussion of the agenda of the first congress following the elections, its work procedure and other organizational issues connected with the Congress of USSR People's Deputies the USSR Supreme Soviet Presidium convenes a conference of representatives of USSR people's deputies. The representatives of USSR people's deputies are elected to this conference at meetings of groups of people's deputies from the union republics in the quota of one representative per 10 USSR people's deputies.

Article 9. The first meeting of the Congress of USSR People's Deputies following the elections is opened and conducted by the chairman of the Central Electoral Commission for Elections of People's Deputies of the USSR.

Subsequent meetings of the Congress of USSR People's Deputies are chaired by the chairman of the USSR Supreme Soviet or his deputy.

A presidium of the Congress of USSR People's Deputies consisting of the chairman of the USSR Supreme Soviet and his deputies is formed.

If a deputy chairman of the USSR Supreme Soviet is not a people's deputy of the USSR or for valid reasons is not present at the congress, a group of USSR people's deputies of a union republic has the right to nominate for the congress presidium another representative of the republic from the ranks of USSR people's deputies.

Article 10. The chairman at a meeting of the Congress of USSR People's Deputies opens and closes the meeting; gives permission for reports and speeches; organizes debate; puts to the vote draft laws of the USSR, decrees and other enactments of the congress and deputies' proposals pertaining to the questions examined at the meeting and announces the results of the voting; reads

out the requests, questions, information, statements and proposals received by the presidium or secretariat of the congress; ensures order in the meeting hall; and signs the minutes of the meeting.

The chairman at a meeting of the congress contributes to the spirit of cooperation, the rapprochement of the parties' positions on the questions being examined and the achievement of concerted decisions. The chairman organizes consultations with the republic and other groups of deputies for the purpose of overcoming disagreements and resolving other matters arising in the course of the congress' work.

Article 11. A congress secretariat is formed at the first meeting for the period that each Congress of USSR People's Deputies is in session.

The congress secretariat is elected by show of hands from the ranks of USSR people's deputies in the composition of a leader and members. Proposals pertaining to the personal composition of the secretariat are made by the Presidium of the Congress of USSR People's Deputies.

The Congress of USSR People's Deputies adopts a resolution on the formation of the secretariat.

Ministry and department specialists and scientific advisers are enlisted for participation in the work of the congress secretariat.

Working groups may be formed in the secretariat.

Article 12. The Congress of USSR People's Deputies Secretariat organizes the keeping of stenographic reports and the minutes of meetings of the congress; keeps a record of those wishing to speak; registers the deputy's requests, questions, information, reports, statements and proposals and other material of the deputies as documents; and organizes work with the citizens' appeals received by the congress.

The congress secretariat presents to the congress presidium information on those who are down to speak in the debate and on other initiatives from the deputies and provides explanations for the USSR people's deputies on questions of the work of the congress. The information on those down to speak in the debate is read out.

At the end of the meeting the congress secretariat presents the minutes of the meeting of the congress for signature to the chairman of the meeting.

Article 13. At its first meeting the Congress of USSR People's Deputies discusses and adopts the congress' agenda and procedure of work. Proposals pertaining to the agenda are submitted for examination by the USSR Supreme Soviet.

The proposals and observations pertaining to the congress agenda and procedure of work are forwarded by the USSR people's deputies in writing to the congress secretariat or the chairman at the meeting or set forth in their speeches at the meeting of the congress. The proposals received in writing are read out by the chairman at the meeting in the order in which they are received.

In the event of no less than two-thirds of the members of the group of deputies of a union republic or no less than three-fourths of the members of the group of deputies from an autonomous republic or no less than one-fifth of USSR people's deputies or the USSR Supreme Soviet insisting on the inclusion of an item on the congress' agenda, two speakers are granted leave to speak in substantiation of the proposals pertaining to the congress' agenda.

The question of the inclusion on the agenda of the proposals which have been received is decided by way of a show of hands in respect of each proposal by a simple majority of the total number of USSR people's deputies.

Article 14. For verifying deputies' authority the Congress of USSR People's Deputies elects at the first meeting following the elections a credentials commission of the Congress of USSR People's Deputies. The proposal concerning the personal composition of the credentials commission is made by a USSR people's deputy speaking on behalf of the Conference of Representatives of USSR People's Deputies.

Upon a submission from the credentials commission, the Congress of USSR People's Deputies makes a ruling on recognition of the authority of the USSR people's deputies, and in the event of a breach of election legislation, on recognition of the election of individual deputies as invalid.

Article 15. Prior to recognition of the deputies' authority, the Congress of USSR People's Deputies has the right to adopt decisions pertaining only to the shaping of the congress' agenda and also to the composition of the congress secretariat and credentials commission.

Article 16. The Congress of USSR People's Deputies forms a deputy ethics commission from the ranks of USSR people's deputies.

Article 17. Meetings of the Congress of USSR People's Deputies are open and are conducted publicly.

Representatives of state authorities, public organizations, the work force, research establishments, the press, television and radio and also other persons invited by the USSR Supreme Soviet Presidium are present at the meetings. The congress presidium notifies the USSR people's deputies of the composition and number of persons invited to a meeting of the congress.

Special seats are reserved in the meeting hall for persons invited to meetings of the Congress of USSR People's Deputies.

The persons who have been invited do not have the right to interfere in the work of the Congress of USSR People's Deputies and are obliged to refrain from displays of

approval or disapproval, comply with the established procedures and submit to the instructions of the chairman.

At the decision of the congress open meetings of the Congress of USSR People's Deputies are broadcast on television and radio. Reports on meetings of the Congress of USSR People's Deputies are published in VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA SSSR and also transmitted by the mass media for general consumption.

Stenographic reports of open meetings of the Congress of USSR People's Deputies are published in the procedure determined by the congress presidium in the newspaper IZVESTIYA SOVETOV NARODNYKH DEPUTATOV SSSR and put out in separate editions.

Article 18. A closed meeting may be conducted at the decision of the Congress of USSR People's Deputies.

Article 19. Persons who are members of the USSR Constitutional Oversight Committee and the USSR Council of Ministers, the chairman of the USSR People's Control Committee, the chairman of the USSR Supreme Court, the USSR prosecutor general and the USSR chief state arbitrator have the right to attend any (open and closed) meeting of the Congress of USSR People's Deputies.

Article 20. While the Congress of USSR People's Deputies is in session, seating on the floor of the meeting hall is arranged according to the following principle: deputies from territorial and national-territorial electoral okrugs, by the republic, kray and oblast on whose territory they have been elected; deputies from public organizations, by the republic, kray and oblast in which they live or work. The deputies' seats in the delegations are determined in alphabetical order of their names here.

A change in delegations' seating is made at the decision of the Congress of USSR People's Deputies Presidium.

Article 21. The language of the Congress of USSR People's Deputies is Russian.

In the event of a USSR people's deputy not knowing Russian, he has the right to speak in another language of the peoples of the USSR. Such a speech is provided with a translation in Russian. The USSR people's deputy notifies the congress secretariat ahead of time of his intention to speak in a different language of the peoples of the USSR.

22. Morning meetings of the Congress of USSR People's Deputies are held from 1000 to 1400 hours with a 30-minute break, evening meetings, from 1600 to 1800 hours. Different times for the starting and conclusion of the meetings may be determined by a decision of the congress.

Time for reports at meetings of the Congress of USSR People's Deputies is granted within, as a rule, the limits of one hour; for supporting reports, up to 20 minutes. Those speaking in debate are granted up to 10 minutes for follow-up speeches in debate; up to five minutes for speeches in a clause-for-clause discussion of draft laws; and up to three minutes for speeches on nominations, the procedure of conducting the session and in justification of one's vote and for statements, requests, news and information. With the consent of a majority of USSR people's deputies the chairman at a meeting may extend the time for a speech.

Article 23. The Congress of USSR People's Deputies performs its work at plenary meetings and, if necessary, at panel sessions conducted between plenary meetings of the congress.

Article 24. Applications to speak in debate are sent to the congress secretariat.

The congress secretariat numbers the applications to speak in the order in which they are received and hands them over to the chairman at the meeting of the congress.

Article 25. The USSR people's deputy speaks at a session of the Congress of USSR People's Deputies after he has been called upon to speak by the chairman at the meeting.

The chairman at the meeting of the congress grants permission to participate in the debate in the order in which the applications were received. If necessary, the chairman may, with the consent of the congress presidium, alter the sequence of speeches with an announcement of the reasons for such a change.

Article 26. The USSR people's deputy may speak on the same issue no more than twice. Waiving one's right to speak in favor of another person is not permitted.

Permission to speak may be granted by the chairman out of turn for a speech on the procedure by which a meeting of the Congress of USSR People's Deputies is conducted and for information, a reply to a question and for clarification.

Questions to persons delivering reports are sent in writing or put from the floor via microphones installed in the hall.

The chairman of the USSR Supreme Soviet, first deputy chairman of the USSR Supreme Soviet, chairman of the USSR Constitutional Oversight Committee and the chairman of the USSR Council of Ministers have the right to take the floor for a speech at any time.

Article 27. A person speaking in the Congress of USSR People's Deputies must not use in his speech coarse and improper language or call for unlawful and violent action. The chairman has the right in this case to issue a caution concerning the impermissibility of such language and calls.

Following a second caution, the speaker's right to speak is suspended. The chairman has the right to switch off the speaker's microphone. The said speaker is not granted leave for a follow-up speech on the issue being discussed.

If a speaker takes the floor without the chairman's permission, the microphone may be switched off without warning.

If a speaker deviates from the topic under discussion, the chairman calls upon him to stick to the question under discussion.

If a speaker goes beyond the time allotted him for the speech or strays from the question under discussion, the chairman, following one warning, revokes his right to speak.

Article 28. In the event of his flagrant violation of procedure, a person who is not a USSR people's deputy may be removed from the meeting hall of the Congress of USSR People's Deputies on the orders of the chairman.

Article 29. Debate is terminated at a decision of the Congress of USSR People's Deputies made by open majority vote of the USSR people's deputies.

If, following a decision on the question of terminating a debate, no less than two-thirds of the members of a group of USSR people's deputies from a union and autonomous republic insist on deputies being granted leave to speak, the chairman is obliged to call at least one deputy.

The stenographic report of the congress includes at the request of the USSR people's deputies who have not had an opportunity to speak because of the termination of debate the texts of the speeches which they have handed over to the congress secretariat.

Article 30. At meetings of the Congress of USSR People's Deputies decisions on the questions at issue are made by a show of hands. In instances provided for by the USSR Constitution, these standing orders and other laws of the USSR or at the decision of the Congress of USSR People's Deputies a secret ballot is conducted.

An electronic vote-counting system is organized for balloting on questions examined by the Congress of USSR People's Deputies or the USSR Supreme Soviet.

Supervision of the operation of the electronic vote-counting system and the personnel maintaining it is entrusted to a group of USSR people's deputies whose composition is determined by the Congress of USSR People's Deputies or the USSR Supreme Soviet.

Article 31. At the time of an open vote, without the use of the electronic system, the vote counting is entrusted to a group of USSR people's deputies whose composition is determined by the congress.

Before the start of a show of hands, the chairman indicates the number of proposals being put to the vote, clarifies their wording and gives a reminder as to the majority (of the total number of deputies, of the number of those present, simple or necessary majority) by which the decision may be adopted.

A vote may be conducted without a count—by manifest majority, unless a USSR people's deputy demands otherwise—or with a count.

Upon voting on a single issue, each USSR people's deputy has one vote and casts it for the proposal or against it or abstains.

At the end of the vote-counting the chairman at the meeting of the Congress of USSR People's Deputies announces the results of the voting: the proposal is adopted or voted down.

Article 32. For holding a secret ballot and determining its results the Congress of USSR People's Deputies elects from the ranks of the USSR people's deputies by show of hands a counting commission. USSR people's deputies who have been nominated for elective bodies or the posts of officials may not be members of the counting commission.

The counting commission elects from its composition a chairman and secretary of the commission. The counting commission's decisions are adopted by majority vote of the commission members.

Ballot papers are prepared under the supervision of the counting commission in accordance with the form which it determines and in the specified quantity. The ballots for a secret vote contain the information necessary for voting. The ballot for a vote on a draft decision or in respect of a sole nomination must contain the words "for" and "against".

The time and place of the vote and the way it is conducted are determined by the counting commission on the basis of these standing orders and announced by the chairman of the counting commission.

Ballot papers should be distributed no later than an hour prior to the announcement of the time of the start of the vote.

Article 33. Each USSR people's deputy is issued a ballot paper for the election of an elective body or official or for a decision on a question being examined by the Congress of USSR People's Deputies.

The ballots for a secret vote are distributed to the deputies by members of the counting commission, in accordance with the list, upon their presentation of their USSR people's deputy ID's.

The deputy fills in the ballots in a secret voting booth by crossing out on the ballot the name of the candidate against whom he is voting, and on a ballot on a draft decision (version of the decision) by crossing out the words "for" or "against" next to the versions of the proposed decisions.

Ballots not of the specified form and, in an election of officials, ballots on which two or more nominations for a single position remain are deemed invalid. Names added to the ballot are not considered when the votes are counted.

Article 34. The counting commission draws up a report on the results of the vote, which is signed by all members of the counting commission. On the basis of the counting commission's report the Congress of USSR People's Deputies adopts by secret ballot a resolution on confirmation of the results of the secret ballot.

Article 35. Individual voting using the electronic system or by personal ballot papers is conducted at the congress in accordance with a decision of the congress adopted by a majority vote of no less than one-fifth of USSR people's deputies.

Article 36. The USSR people's deputy is obliged to exercise his right to vote in person.

A deputy who is absent at the time of a ballot does not have the right to cast his vote later.

Article 37. Upon the ascertainment of mistakes in the procedure and machinery and methods of the vote, a second ballot is conducted at the decision of the Congress of USSR People's Deputies.

Chapter 2. Groups of USSR People's Deputies

Article 38. USSR people's deputies elected by national-territorial and territorial electoral okrug within a union republic and also USSR people's deputies from public organizations working or residing on the territory of this union republic constitute a group of USSR people's deputies from the given union republic.

USSR people's deputies elected by national-territorial and territorial electoral okrug within an autonomous republic and also USSR people's deputies from public organizations working or residing on the territory of this autonomous republic constitute a group of USSR people's deputies from the given autonomous republic.

The lists of USSR people's deputies of each of these groups of deputies are prepared by the Central Electoral Commission and distributed to members of the corresponding groups no later than 30 days prior to the opening of the first meeting of the newly elected Congress of USSR People's Deputies.

The groups of USSR people's deputies from the union and autonomous republics preliminarily discuss nominations for the election to the USSR Supreme Soviet and, upon its rotation, have the right to demand that the USSR people's deputies who are members of this group be called upon to speak on the main agenda items and, upon termination of the debate, have the right to insist, in the established procedure, that the USSR people's deputies be called upon to speak and they also enjoy other rights stipulated for these groups by these standing orders.

Article 39. USSR people's deputies have the right to also unite in permanent and temporary groups of USSR people's deputies other than those provided for in Article 38 of these standing orders.

The groups of USSR people's deputies conduct an exchange of opinions on the questions to be examined at the Congress of USSR People's Deputies.

At the demand of a group of people's deputies consisting of no fewer than 20 persons the USSR Supreme Soviet Presidium or the Congress of USSR People's Deputies Presidium disseminates material prepared by the former among the USSR people's deputies as an official document of the congress.

Groups of USSR people's deputies numbering no fewer than 100 persons have the right to avail themselves of the rights provided for by Article 38 of these standing orders provided that they notify in writing the chairman of the USSR Supreme Soviet of their creation, composition, aims and tasks and the persons empowered to speak on the group's behalf.

The groups of deputies work in close contact with the USSR Supreme Soviet and its presidium, chamber commissions and committees and other groups of deputies.

Chapter 3. Temporary Commissions of the Congress of USSR People's Deputies

Article 40. The Congress of USSR People's Deputies may form temporary commissions on any questions of its activity.

Temporary commissions of the congress are elected from the ranks of USSR people's deputies in the shape of a chairman and members of the commission by show of hands. The commissions may enlist in their work scientists, specialists and practitioners who are not USSR people's deputies.

A USSR people's deputy who has not been elected to a commission has the right to participate in its work on a nonvoting basis.

Meetings of a temporary commission of the congress are open. The commission has the right to conduct a closed session.

Article 41. The tasks and procedure of the activity of the temporary commissions of the congress are determined by the Congress of USSR People's Deputies as they are formed.

A temporary commission of the congress has the right to demand and obtain from the state and public authorities and enterprises, establishments and organizations the necessary documents and material, summon experts and question any persons and possesses other authority accorded it by the Congress of USSR People's Deputies.

The temporary commission is accountable to the Congress of USSR People's Deputies and responsible to it.

Officials impeding the activity of the temporary commissions of the Congress of USSR People's Deputies face proceedings in accordance with current legislation.

In respect of the results of its activity the commission submits to the Congress of USSR People's Deputies a report on the substance of the matter in which connection it was formed. A group of members of the commission with a particular opinion has the right to read it out at a meeting of the congress. The commission may adopt a resolution on the commission's report.

The temporary commission terminates its activity when the assignments entrusted to it have been accomplished or ahead of time, at the decision of the Congress of USSR People's Deputies.

Section III. Organization and Procedure of the Work of the USSR Supreme Soviet and its Chambers

Chapter 4. Election of the USSR Supreme Soviet

Article 42. In accordance with Article 111 of the USSR Constitution, the USSR Supreme Soviet is elected by secret ballot from the ranks of USSR people's deputies by the Congress of USSR People's Deputies and is accountable to it.

The Soviet of the Union and the Soviet of Nationalities are elected at the Congress of USSR People's Deputies by general vote of the deputies.

The Soviet of the Union is elected from the ranks of USSR people's deputies from territorial electoral okrugs and USSR people's deputies from public organizations with regard for the size of the electorate in the union republic or region.

The division into the corresponding regions and the number of USSR people's deputies scheduled for election to the Soviet of the Union per union republic and region are determined by the USSR Supreme Soviet and published in the resolution on the convening of the first Congress of USSR People's Deputies following the elections.

The Soviet of Nationalities is elected from the ranks of USSR people's deputies from national-territorial electoral okrugs and USSR people's deputies from public organizations per the following quotas: 11 deputies per union republic, 4 deputies per autonomous republic, 2 deputies per autonomous oblast and 1 deputy per autonomous okrug.

Article 43. Candidates for the Soviet of the Union and the Soviet of Nationalities are nominated preliminarily and discussed at meetings of the groups of deputies cited in Article 38 and Chapter 4 of Article 39 of these standing orders and then discussed at the Conference of Representatives of USSR People's Deputies. There may be any number of nominations, but not fewer than the number of seats provided for in the corresponding chamber for the union republic, autonomous republic, autonomous oblast, autonomous okrug and region.

Article 44. The list of candidate Soviet of the Union members and the list of candidate Soviet of Nationalities members are formed at the Congress of USSR People's Deputies. The list incorporates the candidates nominated at the Conference of Representatives of USSR People's Deputies and proposed directly at the congress, except for those who have stood down.

USSR people's deputies may participate in the discussion, propose and criticize any nomination and stand down. A vote is not taken on the question of including or not including individual candidates on the list. The lists of candidates for the Soviet of the Union and the Soviet of Nationalities are prepared by the Congress of USSR People's Deputies Secretariat, read out at the congress and confirmed by it.

Article 45. The secret ballot paper includes all the nominations on the lists of Soviet of the Union and Soviet of Nationalities candidates.

The names of the candidates are grouped on the ballot papers in alphabetical order by union republic, autonomous republic, autonomous oblast, autonomous okrug and region with an indication of the number of USSR people's deputies scheduled for election in accordance with Article 42 of these standing orders.

Article 46. The ballot is conducted in specially earmarked premises, which are furnished with booths for secret voting, the place where ballot papers are distributed is specified and ballot boxes sealed by the counting commission are installed. The presence of unauthorized persons and campaigning in these premises are not allowed. Each USSR people's deputy votes in person.

Article 47. At the end of the voting the counting commission opens the secret ballot boxes and counts the votes.

The results of the voting in elections to the Soviet of the Union are determined separately per union republic and region, and in the elections for the Soviet of Nationalities, separately per union republic, autonomous republic, autonomous oblast and autonomous okrug.

The candidates who have obtained the largest number of votes among the candidates per the given union republic and region and more than half the votes of the total number of USSR people's deputies are considered elected to the Soviet of the Union; the candidates who have obtained the largest number of votes among the candidates per the given union republic, autonomous republic, autonomous oblast or autonomous okrug and more than half the votes of the total number of USSR people's deputies are considered elected to the Soviet of Nationalities.

Article 48. If as the result of the voting for the Soviet of the Union by the corresponding union republic or region, and to the Soviet of Nationalities, by the corresponding union and autonomous republic and autonomous oblast or okrug, the number of candidates elected

is more or less than the number laid down, a follow-up ballot or follow-up elections in respect of this republic, oblast, okrug or region are conducted at the decision of the Congress of USSR People's Deputies.

A follow-up ballot is conducted in respect of candidates who have obtained more than half the votes of the total number of USSR people's deputies in the event of an equality of votes cast for each of them preventing a determination of which of them has been elected a member of the USSR Supreme Soviet. The deputies who in a follow-up ballot have obtained the largest number of votes of the USSR people's deputies in relation to the other deputies within the limits of the total number of seats determined for each republic, oblast, okrug or region are considered elected.

Follow-up elections for unfilled seats in the USSR Supreme Soviet are conducted when as the result of the first elections the number of deputies elected is less than that laid down for the given republic, oblast, okrug or region.

USSR Supreme Soviet candidates are in this case nominated from the union and autonomous republics, autonomous oblasts and okrugs and regions from which the candidates nominated previously failed to obtain the necessary number of votes.

Article 49. The lists of members of the USSR Supreme Soviet are to be published in the press.

Chapter 5. Annual Replenishment (Rotation) of the USSR Supreme Soviet

Article 50. In accordance with Article 111 of the USSR Constitution, the Congress of USSR People's Deputies annually replaces no more than 54 seats in each chamber.

The replaceable part of the chambers and the USSR Supreme Soviet includes vacancies which have come about in the chambers in the course of the year; members of the USSR Supreme Soviet who have given notice in person that they are leaving the USSR Supreme Soviet; and candidacies put forward at meetings of groups of USSR people's deputies in the procedure provided for in Article 52 of these standing orders and directly in the congress.

Annual replenishment is not practiced in respect of the USSR people's deputies who are chairmen of the chambers of the USSR Supreme Soviet, chairman of standing commissions of the chambers and chairmen of committees of the USSR Supreme Soviet and in respect either of USSR people's deputies elected to the Soviet of Nationalities from autonomous okrugs.

Article 51. The number of seats to be rotated per union and autonomous republic, autonomous oblast and region is determined preliminarily prior to the congress by the groups of USSR people's deputies from the union republics and is submitted per their proposal to the Congress of USSR People's Deputies for confirmation.

Article 52. Proposals pertaining to the personal composition of the persons quitting the USSR Supreme Soviet in connection with its replenishment and also with the USSR people's deputies elected to the USSR Supreme Soviet are worked out at meetings of the groups of deputies: in respect of the Soviet of the Union, from oblasts, krays, the city of Moscow and autonomous and union republics; in respect of the Soviet of Nationalities, from autonomous oblasts and autonomous and union republics. Account is taken here of the proposals of the standing commissions of the chambers and committees of the USSR Supreme Soviet and also the groups of people's deputies envisaged in paragraph four of Article 39 of these standing orders.

The number of nominations proposed to the congress should not be less than the number of seats to be rotated per oblast, kray, the city of Moscow, autonomous oblast and autonomous and union republic.

Article 53. Proposals concerning the personal composition of the members of the Soviet of the Union and the Soviet of Nationalities to be replaced are submitted to the USSR people's deputies by the congress secretariat no later than two days prior to the examination of this question at the Congress of USSR People's Deputies with specification of the last name, given name, patronymic, year of birth, office (occupation) and place of work and residence of each of the proposed candidates and also the reasons for leaving.

Article 54. At the Congress of USSR People's Deputies each USSR people's deputy may take part in the discussion of the candidacies scheduled for exclusion from the USSR Supreme Soviet and for inclusion therein, may propose and criticize any nomination and may announce his withdrawal.

The Congress of USSR People's Deputies draws up a list of the USSR people's deputies who have submitted statements concerning their departure from the USSR Supreme Soviet, lists of USSR people's deputies proposed for exclusion from chambers of the Supreme Soviet in connection with their replacement and lists of people's deputies for election to the Soviet of the Union and the Soviet of Nationalities.

The secret ballot lists, confirmed by the congress, are handed to the counting commission.

Article 53. The decision to terminate the authority of members of the USSR Supreme Soviet who have submitted in person a statement concerning departure from the USSR Supreme Soviet is adopted by the Congress of USSR People's Deputies by show of hands.

Decisions on those nominated for exclusion from the USSR Supreme Soviet are adopted by secret ballot conducted in accordance with Articles 45-47 of these standing orders. Deputies whose exclusion receives the largest number of votes in relation to the other deputies, within the limits of the number of seats laid down for the given union and autonomous republic, kray, oblast and

city of Moscow, are deemed to have quit the Soviet of the Union or Soviet of Nationalities.

The decisions on the nominations for the Soviet of the Union and the Soviet of Nationalities are adopted by secret ballot conducted in accordance with articles 45-48 of these standing orders.

Chapter 6. Sessions of the USSR Supreme Soviet

Article 56. In accordance with Article 112 of the USSR Constitution, the USSR Supreme Soviet is convened annually by the USSR Supreme Soviet Presidium in regular—spring and fall—session lasting, as a rule, three or four months each.

The USSR Supreme Soviet is convened in spring session no later than March, in fall session no later than the month of October.

The newly elected USSR Supreme Soviet is convened in its first session by the chairman of the USSR Supreme Soviet when the Congress of USSR People's Deputies is in session.

Article 57. The USSR Supreme Soviet Presidium notifies the USSR people's deputies in advance of the time of the convening and the venue of the USSR Supreme Soviet session and also of the questions to be submitted for its examination. Draft laws, resolutions and other documents submitted for examination by the USSR Supreme Soviet are made available to the USSR people's deputies no later than two weeks prior to the opening of the session.

The USSR Supreme Soviet Presidium edict on the convening of a session of the USSR Supreme Soviet is published no later than 30 days prior to its opening with an indication of the questions which are proposed for submission for examination by the USSR Supreme Soviet.

Notice of the place and time of a meeting of the Soviet of the Union and the Soviet of Nationalities and also of the place and time of registration of the USSR people's deputies present for the session is published in the newspaper IZVESTIYA SOVETOV NARODNYKH DEPUTATOV SSSR and other newspapers and carried on television and radio.

In the event of it being impossible to attend a session, a deputy notifies the USSR Supreme Soviet Presidium of this.

Article 58. Special sessions are convened by the USSR Supreme Soviet Presidium at its initiative or per a proposal of the chairman of the USSR Supreme Soviet, a union republic in the shape of its highest organ of state power or no less than one-third of a chamber of the USSR Supreme Soviet.

A proposal concerning the convening of a special session of the USSR Supreme Soviet is sent to the USSR Supreme Soviet Presidium in writing with specification of the questions for whose examination it is proposed convening the USSR Supreme Soviet and substantiation of the need to convene a special session.

Within a period not later than 7 days following the receipt of a proposal concerning the convening of a special session the USSR Supreme Soviet Presidium convenes the USSR Supreme Soviet.

A decree of the USSR Supreme Soviet Presidium concerning the convening of a special session of the USSR Supreme Soviet is published not later than three days prior to its opening with specification of the questions which are proposed for submission for examination by the session.

Notice of the place and time of the meeting of the Soviet of the Union and the Soviet of Nationalities and also of the place and time of registration of the USSR people's deputies present for the special session is published in the newspaper IZVESTIYA SOVETOV NARODNYKH DEPUTATOV SSSR and other newspapers and carried on television and radio.

Article 59. In accordance with the USSR Constitution, a session of the USSR Supreme Soviet consists of separate and joint meetings of the chambers and also meetings conducted in the period between them by standing commissions of the chambers and committees of the USSR Supreme Soviet. A session of the USSR Supreme Soviet opens and closes with separate or joint sessions of the chambers.

The first session of a newly elected USSR Supreme Soviet opens with separate meetings of the chambers.

Article 60. The USSR Supreme Soviet Presidium collates proposals pertaining to the agenda and the procedure of the work of a session of the USSR Supreme Soviet and presents them for study to the standing commissions of the chambers and committees of the USSR Supreme Soviet.

With regard for the opinion of the commissions and committees drafts of the agenda and the procedure of work of the session are presented by the USSR Supreme Soviet Presidium for study by the Soviet of the Union and the Soviet of Nationalities.

Article 61. The agenda and procedure of the work of a session of the USSR Supreme Soviet are discussed at the first separate or joint meetings of the chambers and confirmed by way of a separate show of hands of the members of each chamber in a simple majority of the total number of members of each chamber.

Article 62. A meeting of the chambers' councils of elders is convened for preliminary discussion of the agenda of the first session of the USSR Supreme Soviet, the procedure of its work and other questions connected with the organization of the session.

The Council of Elders of the Soviet of the Union is formed from representatives of groups of people's deputies elected to the Soviet of the Union of the USSR Supreme Soviet from territorial okrugs and from public organizations in accordance with the principle of one representative for four deputies.

The Council of Elders of the Soviet of Nationalities is formed from representatives of groups of people's deputies who are members of the Soviet of Nationalities of the USSR Supreme Soviet elected from national-territorial okrugs and from public organizations in accordance with the following quota: two representatives per union republic and one each for an autonomous republic, autonomous oblast and autonomous okrug.

A meeting of the councils of elders of the chambers of a newly elected USSR Supreme Soviet is convened and conducted by the chairman of the USSR Supreme Soviet.

Article 63. Separate and joint meetings of the Soviet of the Union and the Soviet of Nationalities are competent if no less than two-thirds of the total number of members of the corresponding chambers are present thereat.

The members of the USSR Supreme Soviet present for the meeting are registered prior to each meeting. The registration is organized by the chairmen of the chambers of the USSR Supreme Soviet. The registration of members of the USSR Supreme Soviet present for the first session of a newly elected USSR Supreme Soviet is organized by the Congress of USSR People's Deputies Secretariat.

Article 64. The first separate meetings of the chambers of the newly elected USSR Supreme Soviet are opened by the chairman of the USSR Supreme Soviet or the first deputy chairman of the USSR Supreme Soviet, who chair the meetings of the Soviet of the Union and the Soviet of Nationalities until the election of chairmen of the chambers.

Each chamber of the USSR Supreme Soviet elects a chairman of the chamber and his two deputies at the first session of the USSR Supreme Soviet at separate meetings of the chambers by secret ballot, unless the chamber determines otherwise, in a simple majority vote of the total number of members of each chamber.

The chamber has the right to replace a chairman of a chamber and his deputies.

The authority of the chairman of a chamber and his deputies may be terminated by the chamber ahead of time at the request of these persons and also in connection with circumstances making their performance of their duties impossible.

Article 65. Joint meetings of the chambers are chaired by the chairman of the USSR Supreme Soviet and his first deputy chairman or by the chairmen of the Soviet of the Union and the Soviet of Nationalities in turn.

The chairmen of the Soviet of the Union and the Soviet of Nationalities direct the meetings of the corresponding chambers and are in charge of the chambers' rules and regulations.

The deputy chairmen of the chambers assist the chairman of the corresponding chamber in the exercise of his authority, preside at the behest of the chairman of the corresponding chamber at meetings of the chamber and in the chairman's absence perform his functions in order of priority.

Article 66. The chairman at a meeting of the USSR Supreme Soviet or a chamber thereof:

monitors compliance with the standing orders, grants leave for a speech in the order in which the applications were received and, in the event of a speaker violating the standing orders, has the right to warn and interrupt the speaker;

given flagrant violation of the procedure of the meeting, has the offender who is not a USSR people's deputy removed from the hall;

organizes the voting and the counting of the votes and reads out the results of the voting;

organizes the keeping of the minutes and stenographic record of the meeting and signs the minutes;

enjoys other rights determined by these standing orders.

Article 67. On all matters examined at separate and joint meetings of the chambers the member of the USSR Supreme Soviet enjoys the right to vote. A member of one chamber may participate on a nonvoting basis in meetings of the other.

Members of the USSR Supreme Soviet are obliged to attend joint meetings of the chambers of the USSR Supreme Soviet and meetings of the chamber to which they have been elected. In the event of it not being possible to attend a meeting of a chamber for valid reasons, a member of the USSR Supreme Soviet notifies the chairman of the chamber of this in good time.

A USSR people's deputy who is not a member of the USSR Supreme Soviet may participate in the work of the USSR Supreme Soviet or a chamber thereof on a nonvoting basis.

A member of the USSR Supreme Soviet may elect and be elected to bodies of the USSR Supreme Soviet and the corresponding chamber.

A USSR people's deputy who is not a member of the USSR Supreme Soviet may be elected to a standing commission of a chamber or committee of the USSR Supreme Soviet.

A USSR people's deputy possesses at separate and joint meetings of the chambers other rights and duties stipulated by these standing orders and laws of the USSR on

the status of people's deputies and also by other enactments regulating the legal position of USSR people's deputies.

Article 68. The Language of the USSR Supreme Soviet is Russian.

In the event of a USSR people's deputy not knowing Russian, he has the right to speak in another language of the peoples of the USSR. Such a speech is provided with a translation into Russian. The USSR people's deputy notifies the chairman ahead of time of his intention to speak in another language of the peoples of the USSR.

Article 69. Morning separate or joint meetings of the chambers of the USSR Supreme Soviet are conducted from 1000 to 1400 hours with a break of up to 30 minutes, the evening meetings, from 1600 to 1800 hours.

The chambers have the right to adopt a decision on a different time frame for the meetings.

The time for reports, supporting reports and closing remarks is determined by the chairman in agreement with the people delivering the reports and supporting reports, but not more than one hour for a report and 20 minutes for a supporting report.

Those speaking in debate are accorded up to 10 minutes; for follow-up speeches in debate and also speeches upon an article-by-article discussion of draft laws, up to five minutes; and for speeches on nominations, the manner in which the meeting is conducted and reasons for one's vote and for statements, requests, questions, proposals, news, and information, up to three minutes.

Where necessary the chairman may, with the consent of the majority of members of the chambers, extend speaking time. Speeches are made from the podium, and with the consent of the chairman, at a hall microphone.

Applications to speak are submitted, as a rule, in writing to the chairman at the session. The chairman may give leave to speak given a deputy's verbal application also.

The chairman of the USSR Supreme Soviet, the first deputy chairman of the USSR Supreme Soviet, the chairmen of the Soviet of the Union and the Soviet of Nationalities, the chairman of the USSR Constitutional Oversight Committee and the chairman of the USSR Council of Ministers have the right to take the floor at any time.

The rules stipulated by Articles 26-28 of these standing orders extend to the order of speeches at meetings of the chambers.

At the end of each evening meeting up to 30 minutes are allotted for speeches by USSR people's deputies with brief, up to two minutes, statements and communications. Debate is not initiated on these statements and communications.

Article 70. In the course of debate the chairman provides for the exposure of a diversity of opinions on the question discussed.

Debate is terminated at a decision adopted by a majority of the members of each chamber of the USSR Supreme Soviet in attendance. When the question of the termination of debate is raised, the chairman notifies the deputies of the number of USSR people's deputies who have put their names down and who have spoken and ascertains who insists on being given leave to speak.

When deciding the question of termination debate, the USSR people's deputies representing a union republic, autonomous republic, autonomous oblast, autonomous okrugs or a region have the right to insist on one USSR people's deputy being called. If such a demand is supported by no less than two-thirds of the corresponding group, the chairman grants a representative of this group leave to speak.

Following the termination of debate, the person delivering a report and the person delivering a supporting report have the right to deliver closing remarks. If USSR people's deputies have not had an opportunity to speak in connection with the termination of debate, at the deputies' requests texts of their speeches must be incorporated in the stenographic report of the meeting.

Proposals submitted by USSR people's deputies to a chamber and supported by it, if under the joint jurisdiction of both chambers, are conveyed by the chairman of the chamber to the other chamber also.

Article 71. Decisions of chambers of the USSR Supreme Soviet at joint and separate sessions are adopted by an open, individual or secret ballot of members of the USSR Supreme Soviet.

Voting in the USSR Supreme Soviet and its chambers is conducted with the aid of an electronic vote-counting system, unless a decision is made to the contrary at a session of the Supreme Soviet or meetings of the chambers.

Individual voting is conducted, at a decision of the chambers adopted by no less than one-fifth of the votes of the deputies of each chamber, with the use of the electronic system or by the casting of individual ballots.

A secret ballot is conducted with the use of the electronic system or by casting ballots in accordance with the rules stipulated by Articles 32-34 of these standing orders.

To conduct a secret ballot and determine its results the USSR Supreme Soviet or the chambers thereof elect a counting commission from the ranks of members of the USSR Supreme Soviet.

If upon determination of the results of the voting mistakes in the procedure and machinery and methods of the voting are brought to light, a second ballot may be conducted at the decision of the USSR Supreme Soviet or one of its chambers.

Article 72. Meetings of the USSR Supreme Soviet and its chambers are open and are conducted publicly. The glasnost of the meetings is provided for in the procedure stipulated by Article 17 of these standing orders.

A closed meeting may be conducted at a decision of the chambers.

Persons specified in Article 19 of these standing orders have the right to attend any (open and closed) meeting of chambers of the USSR Supreme Soviet.

Chapter 7. Standing Commissions of Chambers and Committees of the USSR Supreme Soviet

Article 73. In accordance with Article 122 of the USSR Constitution, the Soviet of the Union and the Soviet of Nationalities elect from the ranks of members of the USSR Supreme Soviet and other USSR people's deputies standing commissions of the chambers for drafting work and the preliminary examination and preparation of questions within the province of the USSR Supreme Soviet and also for facilitating the implementation of laws of the USSR and other decisions adopted by the Congress of USSR People's Deputies and the USSR Supreme Soviet and supervision of the activity of the state authorities.

To this same end the chambers of the USSR Supreme Soviet create, on a parity basis, committees of the USSR Supreme Soviet.

Article 74. Standing commissions of the chambers and committees of the USSR Supreme Soviet are formed at the first session of the newly elected USSR Supreme Soviet for the term of its authority.

Standing commissions are formed by the chambers with regard for the matters to be examined predominantly by the chamber.

The list of the commissions is confirmed by a resolution of the corresponding chamber, and of the committees, by a resolution of the USSR Supreme Soviet, adopted at joint or separate meetings of the chambers.

If necessary, new commissions and committees may be formed, and those created earlier, abolished and reorganized.

Article 75. The standing commissions of the chambers and committees of the USSR Supreme Soviet incorporate an approximately equal number of people's deputies who are members of the USSR Supreme Soviet and deputies who are not members thereof.

All members of the commissions and committees enjoy equal rights.

Article 76. The chambers of the USSR Supreme Soviet form committees and standing commissions composed of chairmen and members of the committees and commissions. The strength of the committees is determined by the USSR Supreme Soviet and that of the standing commissions, by the chambers.

The committees of the USSR Supreme Soviet and the standing commissions of the chambers elect deputy chairmen and secretaries of the committees and commissions. The committees and commissions may form subcommittees and subcommissions in respect of the main areas of the activity of these bodies.

A deputy may be a member of no more than two standing commissions of the chambers and committees of the USSR Supreme Soviet.

Article 77. Up to one-fifth of the standing commissions of the chambers and the committees of the USSR Supreme Soviet is replaced annually.

Proposals pertaining to replenishment are discussed by the commissions and committees and are submitted by the commission chairmen for examination by the pertinent chamber, and by the committee chairmen, for examination by both chambers of the USSR Supreme Soviet.

The USSR Supreme Soviet and each chamber have the right to replace the chairmen of the committees of the USSR Supreme Soviet and the chairmen of the standing commissions of the chambers respectively.

The authority of the chairman of the standing commissions of the chambers and the committees of the USSR Supreme Soviet may be terminated by the chambers ahead of time at the request of these persons and also in connection with circumstances rendering their performance of their duties impossible.

Article 78. The chairman of the USSR Supreme Soviet, his first deputy, the deputy chairman of the USSR Supreme Soviet, chairmen of the chambers, their deputies and the chairman of the USSR Council of Ministers and also other USSR people's deputies holding office in bodies whose activity is under the supervision of the USSR Supreme Soviet may not be elected to the standing commissions and committees.

Article 79. At the time of election of the standing commissions of the chambers and committees of the USSR Supreme Soviet the voting is conducted separately by chamber and, by decision of the chambers, for the commission and committee as a whole or per nomination.

Article 80. Coordination of the activity of the standing commissions of the chambers and committees of the USSR Supreme Soviet and assistance to them in their work are exercised by the USSR Supreme Soviet Presidium, and in respect of the standing commissions of the chambers, by the chairmen of the corresponding chambers also.

In the event of the positions of the commissions and committees on one and the same issue being at variance, measures pertaining to surmounting the disagreements

are adopted. If the commissions and committees fail to reach agreement, they convey their opinions to the USSR Supreme Soviet.

The procedure of the activity of the standing commissions of the chambers and committees of the USSR Supreme Soviet is determined on the basis of the USSR Constitution by these standing orders, the Law on Committees of the USSR Supreme Soviet and the Standing Commissions of its Chambers and other laws of the USSR.

Section IV. The USSR Supreme Soviet Presidium

In accordance with the USSR Constitution, the USSR Supreme Soviet Presidium is a body accountable to the USSR Supreme Soviet which provides for the organization of the work of the Congress of USSR People's Deputies and the USSR Supreme Soviet and exercises other powers within the limits stipulated by the USSR Constitution and laws of the USSR.

The USSR Supreme Soviet Presidium incorporates ex officio the chairman of the USSR Supreme Soviet, the first deputy chairman of the USSR Supreme Soviet, the 15 deputy chairmen of the USSR Supreme Soviet—the chairmen of the union republic supreme soviets—the chairmen of the Soviet of the Union and the Soviet of Nationalities, the chairman of the USSR People's Control Committee and the chairmen of the standing commissions of the chambers and committees of the USSR Supreme Soviet.

The USSR Supreme Soviet Presidium is headed by the chairman of the USSR Supreme Soviet.

Article 82. The USSR Supreme Soviet Presidium embarks on the exercise of its authority following the election or confirmation in the established procedure of the officials who constitute it.

Article 83. Meetings of the USSR Supreme Soviet Presidium are convened as necessary and are competent given the presence of no less than two-thirds of the total presidium. Meetings of the USSR Supreme Soviet Presidium are convened and chaired by the chairman of the USSR Supreme Soviet, and in his absence, by the first deputy chairman of the USSR Supreme Soviet or a deputy chairman.

The decisions of the USSR Supreme Soviet Presidium are adopted at its meetings by a majority of the presidium.

The chairman of the USSR Constitutional Oversight Committee, the chairman of the USSR Council of Ministers, the chairman of the USSR Supreme Court, the USSR prosecutor general, the USSR chief state arbitrator and the deputy chairman of the chambers of the USSR Supreme Soviet have the right to participate in meetings of the USSR Supreme Soviet Presidium on a nonvoting basis.

At the invitation of the chairman of the USSR Supreme Soviet USSR people's deputies and also representatives of state authorities and public organizations may participate in meetings of the presidium.

The persons who are members of the USSR Supreme Soviet Presidium and also other persons participating in its meetings are notified ahead of time of the questions which are contemplated for study at the meeting, and the necessary materials are made available to them.

Meetings of the USSR Supreme Soviet Presidium are minuted and taken down in shorthand. The USSR people's deputies have the right to acquaint themselves with the minutes and stenographic report of a meeting. Notice of the matters examined by the USSR Supreme Soviet Presidium and of the decisions which it adopts are communicated in the press and on television and radio.

Article 84. In connection with the convening and organization of the Congress of USSR People's Deputies and a session of the USSR Supreme Soviet the USSR Supreme Soviet Presidium:

prepares draft agendas of the Congress of USSR People's Deputies and the session of the USSR Supreme Soviet;

convenes sessions of the USSR Supreme Soviet;

provides for the preparation and presentation to the Congress of USSR People's Deputies and the USSR Supreme Soviet of the documents and material received when the congresses and the USSR Supreme Soviet were not in session;

submits proposals to the USSR Supreme Soviet on the convening of special congresses of USSR people's deputies;

decides other questions provided for by these standing orders.

Article 85. In connection with coordination of the activity of the standing commissions of the chambers and the committees of the USSR Supreme Soviet the USSR Supreme Soviet Presidium:

adopts the necessary measures for organizing the concerted and joint work of the standing commissions and committees;

briefs the people's deputies and representatives of state and public authorities on the meetings of the commissions and committees;

facilitates the timely provision of the commissions and committees with material and documents on the issues which they will examine;

contributes to scientific support for the activity of the standing commissions of the chambers and committees and renders legal, organizational, material-technical and other necessary assistance in their work.

Article 86. For the purpose of helping the USSR people's deputies exercise their authority the USSR Supreme Soviet Presidium:

exercises supervision of the timely examination and realization by the state and public authorities and officials of the deputies' proposals and observations expressed at the Congress of USSR People's Deputies and sessions of the USSR Supreme Soviet and fulfillment of the resolutions passed in respect of requests by the USSR people's deputies and also supervision of fulfillment of the instructions of the electorate and the public organizations given the USSR people's deputies and within the province of the USSR and notifies the USSR people's deputies of this;

provides the USSR people's deputies with official publications and material on the activity of the Congress of USSR People's Deputies, the USSR Supreme Soviet, its presidium and the standing commissions of the chambers and committees of the USSR Supreme Soviet and also with reference and other material;

collates the experience of the work of the USSR people's deputies on the basis of their reports on their accounts to the electorate, the work force and the public organizations and other material, renders the USSR people's deputies the necessary assistance and contributes to an exchange of the experience of deputy work.

Article 87. The USSR Supreme Soviet Presidium organizes the planning of work on the preparation of draft laws of the USSR and submits its recommendations for examination to the USSR Supreme Soviet.

Article 88. For the preparation of proposals pertaining to questions within its province the USSR Supreme Soviet Presidium forms standing and temporary commissions, if necessary, from within itself, from the ranks of USSR people's deputies and specialists and also representatives of state bodies and public organizations and research establishments. Article 89. For the preliminary examination and preparation of proposals pertaining to awards and questions connected with USSR citizenship and also for the preliminary examination of petitions for the pardoning of convicted persons and the preparation of proposals pertaining to these issues the USSR Supreme Soviet Presidium forms commissions for state awards, citizenship and pardons respectively.

The said commissions are confirmed by the USSR Supreme Soviet Presidium from the ranks of USSR people's deputies in the shape of a chairman of the commission, deputy chairman and members of the commission.

USSR people's deputies who are not members of these commissions may participate on a nonvoting basis in meetings of the State Awards Commission, the Citizenship Commission and the Pardons Commission.

The commissions specified in this article may also invite to their meetings representatives of state bodies, the public, the work force and the media.

Section V. The Chairman of the USSR Supreme Soviet and First Deputy Chairman of the USSR Supreme Soviet

Article 90. In accordance with Article 120 of the USSR Constitution, the chairman of the USSR Supreme Soviet is the highest official of the Soviet state and represents the USSR within the country and in international relations.

The chairman of the USSR Supreme Soviet is elected by the Congress of USSR People's Deputies from the ranks of USSR people's deputies by secret ballot for a term of five years and no more than two terms in succession.

The chairman of the USSR Supreme Soviet is accountable to the Congress of USSR People's Deputies and the USSR Supreme Soviet.

Article 91. Nominations for the office of chairman of the USSR Supreme Soviet are preliminarily put forward and discussed at the Conference of Representatives of USSR People's Deputies.

Article 92. Candidates for the office of chairman of the USSR Supreme Soviet present to the Congress of USSR People's Deputies programs of their intended activity.

Each USSR people's deputy has the right to put questions to the candidate, express his opinion on the program which he has presented, campaign for or against the nomination and put forward other nominations.

Discussion of the nominations is terminated at the decision of the congress adopted by a simple majority vote of the USSR people's deputies. The congress confirms the nominations for the office of chairman of the USSR Supreme Soviet. The procedure of secret balloting for the election of the chairman of the USSR Supreme Soviet is determined in accordance with articles 32-34 of these standing orders.

A candidate is considered elected to the office of chairman of the USSR Supreme Soviet if as a result of the secret ballot he has obtained more than half the votes of the total number of people's deputies. A resolution is passed on the election of the chairman of the USSR Supreme Soviet by the Congress of USSR People's Deputies.

In the event of more than two candidates having been nominated for the office of chairman of the USSR Supreme Soviet and none having obtained the requisite number of votes for election, a runoff election in respect of the two candidates who have obtained the largest number of votes is held.

If in the election neither of the candidates obtains more than half the vote of the total number of USSR people's

deputies, a follow-up election with the nomination of new candidates is conducted.

Article 93. In accordance with Article 20 of the USSR Constitution, the chairman of the USSR Supreme Soviet may at any time by way of secret ballot be recalled by the Congress of USSR People's Deputies.

The question of the recall of the chairman of the USSR Supreme Soviet is put on the congress' agenda if more than half the votes of the total number of USSR people's deputies are cast for the adoption of this proposal.

Upon examination of the question of recall, the chairman of the USSR Supreme Soviet must be given leave to speak.

A secret ballot on the question of recall of the chairman of the USSR Supreme Soviet is conducted in the procedure stipulated by these standing orders for the election of the chairman.

A decision on the recall of the chairman of the USSR Supreme Soviet is adopted by the majority vote of no less than two-thirds of the total number of USSR people's deputies.

Article 94. The authority of the chairman of the USSR Supreme Soviet may be terminated early by the Congress of USSR People's Deputies at the request of the chairman himself in the event of his illness or in connection with other circumstances making it impossible for him to perform the duties entrusted to him.

The Congress of USSR People's Deputies adopts a decree on the early termination of the authority of the chairman of the USSR Supreme Soviet.

Article 95. In accordance with Article 121 of the USSR Constitution, the chairman of the USSR Supreme Soviet presents to the Congress of USSR People's Deputies a nomination from the ranks of the USSR people's deputies for the office of first deputy chairman of the USSR Supreme Soviet.

The first deputy chairman of the USSR Supreme Soviet is elected by secret ballot unless the congress determines otherwise.

Article 96. A candidate is considered elected first deputy chairman of the USSR Supreme Soviet if he has obtained more than half the votes of the total number of USSR people's deputies. A resolution is adopted by the Congress of USSR People's Deputies on the election of the first deputy chairman of the USSR Supreme Soviet.

Article 97. In the event of the nomination for the office of first deputy chairman of the USSR Supreme Soviet failing to obtain the support of a majority of USSR people's deputies, the chairman of the USSR Supreme Soviet offers the congress another candidacy, in respect of which a new discussion and vote are conducted.

Article 98. The authority of the first deputy chairman of the USSR Supreme Soviet may be terminated early at any time at the decision of the Congress of USSR People's Deputies adopted following a submission from the chairman of the USSR Supreme Soviet.

The question of the recall of the first deputy chairman of the USSR Supreme Soviet may be raised by USSR people's deputies and decided by the Congress of USSR People's Deputies in the procedure stipulated by these standing orders for recall of the chairman of the USSR Supreme Soviet.

Section VI. Election of the USSR Constitutional Oversight Committee

Article 99. The USSR Constitutional Oversight Committee is elected by the Congress of USSR People's Deputies from the ranks of specialists in the field of politics and law in the shape of a chairman, deputy chairman and 25 members of the committee, including one for each union republic.

The term of authority of the persons elected to the USSR Constitutional Oversight Committee is 10 years.

Persons elected to the USSR Constitutional Oversight Committee may not simultaneously be members of bodies whose enactments come under the supervision of the committee.

The discussion and voting are conducted in respect of each nomination individually, unless the congress determines upon another procedure.

The chairman of the USSR Constitutional Oversight Committee, his deputy and the members of the committee are elected by show of hands, unless the congress determines upon a different procedure.

A candidate is considered elected if more than half the total number of USSR people's deputies has voted for him.

The Congress of USSR People's Deputies adopts a decree on the election of the USSR Constitutional Oversight Committee.

Article 101. If a nomination for the USSR Constitutional Oversight Committee proposed by the chairman of the USSR Supreme Soviet fails to obtain the number of votes required for election, the chairman of the USSR Supreme Soviet offers the Congress of USSR People's Deputies another nomination, in respect of which a new discussion and a new vote are conducted.

Article 102. The authority of the persons who are members of the USSR Constitutional Oversight Committee may be terminated early in the instances and procedure stipulated by the USSR Law on Constitutional Oversight in the USSR.

Section VII. Formation of the USSR Council of Ministers

Article 103. The Council of Ministers—the USSR Government—is formed by the newly elected USSR Supreme Soviet at its first session.

After the USSR Supreme Soviet has taken note of the USSR Council of Ministers' declaration of the divestiture of its authority to the Supreme Soviet, the chairman of the USSR Supreme Soviet puts forward to the USSR Supreme Soviet in accordance with Article 121 of the USSR Constitution a candidate for appointment to the office of chairman of the USSR Council of Ministers.

Article 104. The question of appointment to the office of chairman of the USSR Council of Ministers is decided at a joint meeting of the Soviet of the Union and the Soviet of Nationalities of the USSR Supreme Soviet by way of secret ballot, unless the USSR Supreme Soviet determines otherwise.

Each member of the Supreme Soviet and also the USSR people's deputies present at the meeting of the chambers of the USSR Supreme Soviet on a nonvoting basis have the right to put questions to the chairman of the USSR Supreme Soviet and the candidate himself, express their opinion on the nomination and campaign for or against it.

The chairman of the USSR Council of Ministers is deemed appointed to the office if more than half the total number of members of the USSR Supreme Soviet has voted for him.

The USSR Supreme Soviet adopts a resolution on the appointment of the chairman of the USSR Council of Ministers.

By this same resolution the USSR Supreme Soviet instructs the chairman of the USSR Council of Ministers to submit to the USSR Supreme Soviet proposals pertaining to the personal composition of the new USSR Council of Ministers. Simultaneously the USSR Supreme Soviet instructs the USSR Council of Ministers to continue to perform its duties until the new USSR Council of Ministers is formed.

Article 105. The chairman of the USSR Supreme Soviet presents for confirmation by the Congress of USSR People's Deputies the chairman of the USSR Council of Ministers newly appointed by the USSR Supreme Soviet, who presents to the Congress of USSR People's Deputies the program of upcoming activity. Debate on the program may be conducted at the meeting of the Congress of USSR People's Deputies.

Article 106. The chairman of the USSR Council of Ministers is considered confirmed by the congress if more than half the total number of USSR people's deputies has voted for him.

The congress adopts a resolution on the confirmation of the chairman of the USSR Council of Ministers.

Article 107. In the event that the candidate for the office of chairman of the USSR Council of Ministers put forward by the chairman of the USSR Supreme Soviet fails to obtain the support of the USSR Supreme Soviet or the USSR people's deputies at the time of his confirmation in the congress, the chairman of the USSR Supreme Soviet presents to the USSR Supreme Soviet another nomination, in respect of which a new discussion and vote are conducted.

Article 108. Following confirmation of his candidacy by the Congress of USSR People's Deputies, the chairman of the USSR Council of Ministers submits for examination by the USSR Supreme Soviet candidates for the USSR Council of Ministers.

Article 109. Before the candidates for deputy chairmen of the USSR Council of Ministers, USSR ministers, chairman of the USSR state committees and other persons who are to be members of the government are submitted for examination by the USSR Supreme Soviet, a joint decision of the chairmen of the chambers of the USSR Supreme Soviet entrusts to the standing commissions and committees discussion of each of the proposed candidates.

Article 110. Information and other material pertaining to the nominations to be discussed is made available to the members of the standing commissions of the chambers and committees of the USSR Supreme Soviet who will participate in discussion of the nominations for the USSR Council of Ministers no later than three days prior to the meeting of the commission or committee.

Article 111. The nominations may be discussed at separate or joint meetings of the standing commissions of the chambers and committees of the USSR Supreme Soviet. The USSR people's deputies are notified as to the time and place of the meetings of the commissions and committees.

Each standing commission of a chamber or committee of the USSR Supreme Soviet, which the chairmen of the Soviet of the Union and Soviet of Nationalities have instructed to conduct a preliminary discussion of the nominations for office in the USSR Council of Ministers, submits its findings on the nomination discussed.

In the event of the nomination not being recommended for a corresponding position in the USSR Council of Ministers, the findings must contain reasons for the decision adopted.

The findings of the standing commission or committee are adopted by majority vote of the members of the commission or committee present at the meeting.

Article 112. In the event of the nomination not being recommended by the standing commissions or committees of the USSR Supreme Soviet, the chairman of the USSR Council of Ministers offers the standing commissions and committees another candidate for discussion or confirms his intention to defend the nomination made originally at the session of the USSR Supreme Soviet.

Article 113. During examination at a joint meeting of the Soviet of the Union and the Soviet of Nationalities of the nominations for office in the USSR Council of Ministers the chairmen of the standing commissions or committees of the USSR Supreme Soviet notify the USSR Supreme Soviet of the results of the discussion of the nominations in the commissions and committees and of the findings in respect of each nomination.

Article 114. At the demand of USSR people's deputies a candidate for office in the USSR Council of Ministers delivers to the USSR Supreme Soviet a brief program of forthcoming activity.

In the event of a nomination for the USSR Council of Ministers being recommended by a standing commission or committee for appointment to a position, the question of this official's appointment may not be debated unless the people's deputies present at the given meeting of the USSR Supreme Soviet insist on this.

A decision on appointment to a position in the USSR Council of Ministers is adopted individually on each nomination by a general vote of the deputies of both chambers by way of a secret ballot, unless the USSR Supreme Soviet determines otherwise.

If some nomination put forward by the chairman of the USSR Council of Ministers fails in terms of the results of the ballot to obtain the support of a majority of the total number of members of the Supreme Soviet, the chairman of the USSR Council of Ministers proposes to the USSR Supreme Soviet another candidate, in respect of whom there is a new discussion and vote. The renomination of a candidate rejected by the USSR Supreme Soviet is not permitted.

Article 115. The USSR Supreme Soviet adopts a decree on the formation of the USSR Council of Ministers.

The newly formed USSR Council of Ministers submits for examination by the USSR Supreme Soviet a program of impending activity for the term of its authority.

Section VIII. Formation of the USSR People's Control Committee and the USSR Supreme Court and the Appointment and Confirmation of the USSR Prosecutor General and the USSR Chief State Arbitrator

Article 116. In accordance with paragraph 4 of Article 121 of the USSR Constitution, the chairman of the USSR Supreme Soviet presents to the USSR Supreme Soviet the nominations for the offices of chairman of the USSR People's Control Committee and chairman of the USSR Supreme Court and also the nominations for the offices of USSR prosecutor general and USSR chief state arbitrator.

Each nomination is discussed and voted on at the session of the USSR Supreme Soviet individually.

Article 117. The election of the chairman of the USSR People's Control Committee and the chairman of the USSR Supreme Court and the appointment of the USSR prosecutor general and USSR chief state arbitrator are effected by secret ballot, unless the USSR Supreme Soviet determines otherwise.

The chairman of the USSR People's Control Committee and the chairman of the USSR Supreme Court are considered elected, and the USSR prosecutor general and USSR chief state arbitrator, appointed, to office if more than half the total number of members of the USSR Supreme Soviet has voted for them.

The USSR Supreme Soviet adopts by a general vote of the members of both chambers a decree on the election and appointment to office of the said persons.

In the event of a candidate for office having failed to obtain the support of the USSR Supreme Soviet, the chairman of the USSR Supreme Soviet proposes to the USSR Supreme Soviet another candidate for this office. A new discussion of the nomination and a new vote are conducted here.

Article 118. Following the USSR Supreme Soviet's adoption of the resolutions on the election of the chairman of the USSR People's Control Committee and the chairman of the USSR Supreme Court and the appointment of the USSR prosecutor general and USSR chief state arbitrator, the chairman of the USSR Supreme Soviet presents the newly elected and appointed officials for confirmation by the Congress of USSR People's Deputies. These persons present the Congress of People's Deputies with a brief program of forthcoming activity.

Article 119. Discussion of the candidacies indicated in Article 118 and their confirmation at a meeting of the Congress of USSR People's Deputies are effected in the procedure determined by Articles 105-107 of these standing orders.

Article 120. In accordance with the USSR Constitution, the USSR Supreme Soviet elects members of the USSR People's Control Committee and the USSR Supreme Court and confirms the board of the USSR Procuracy and the board of the USSR State Arbitration Tribunal.

Proposals concerning the composition of the USSR People's Control Committee and the USSR Supreme Court and the boards of the USSR Procuracy and the USSR State Arbitration Tribunal are presented to the USSR Supreme Soviet by the chairman of the USSR People's Control Committee, the chairman of the USSR Supreme Court and the USSR prosecutor general and USSR chief state arbitrator respectively.

Prior to examination at a session of the USSR Supreme Soviet, the nominations for the bodies specified in this article are discussed at meetings of the appropriate standing commissions of the chambers and committees of the USSR Supreme Soviet.

Article 121. Discussion of the nominations indicated in Article 120 and the voting in respect of them in the standing commissions of the chambers and committees

of the USSR Supreme Soviet and the election or appointment of the said persons to the corresponding positions at a session of the USSR Supreme Soviet are effected in the procedure stipulated by articles 110-114 of these standing orders.

Article 122. Decisions on the nominations for the USSR People's Control Committee, the USSR Supreme Court, the board of the USSR Procuracy and the board of the USSR State Arbitration Tribunal are adopted in respect of each nomination individually or in respect of all nominations simultaneously or in another procedure determined by the USSR Supreme Soviet.

The USSR Supreme Soviet adopts a resolution on the election of the members of the USSR People's Control Committee and the USSR Supreme Court and on confirmation of the boards of the USSR Procuracy and the USSR State Arbitration Tribunal.

Section IX. Procedure of Examination of Draft USSR Laws and Other Enactments of the Congress of USSR People's Deputies and the USSR Supreme Soviet and Their Bodies

Chapter 8. Submission of Draft USSR Laws to the Congress of USSR People's Deputies and the USSR Supreme Soviet and Their Preliminary Examination in Commissions of the Congress and Standing Commissions of the Chambers and Committees of the USSR Supreme Soviet

Article 123. The right of legislative initiative is exercised in the form of the submission of draft new USSR laws and draft laws on changes to current USSR laws and also in the form of proposals concerning the enactment of new USSR laws or changes to current USSR laws (legislative proposals).

Article 124. The right of legislative initiative in the USSR Supreme Soviet is enjoyed by the bodies, organizations and persons cited in Article 114 of the USSR Constitution, and in the Congress of USSR People's Deputies, by the USSR Supreme Soviet also (the sponsors of a bill).

The USSR Supreme Soviet also elaborates draft USSR laws at the behest of the Congress of USSR People's Deputies.

Draft USSR laws or legislative proposals emanating from state and public authorities lacking the right of legislative initiative or from individual citizens may be submitted to the Congress of USSR People's Deputies or the USSR Supreme Soviet via the bodies and persons which have the right of legislative initiative.

Article 125. Draft USSR laws and legislative proposals are submitted for examination together with a justification of the need for their elaboration and a comprehensive description of the purposes, tasks and basic provisions of the future laws and their place in the system of current legislation and also the anticipated socioeconomic and other consequences of their application. The outfits and persons who participated in the preparation of the bill are indicated here. Upon submission of a draft whose realization will require additional material and other expenditure a feasibility study thereof is appended.

Account must also be taken in the structuring of draft USSR laws and legislative proposals of other requirements determined by legislative instruments of the USSR on the procedure for preparing draft USSR laws.

Article 126. The draft USSR laws and legislative proposals to be examined by the Congress of USSR People's Deputies are submitted to the USSR Supreme Soviet Presidium or the USSR Supreme Soviet chairman and registered in the USSR Supreme Soviet Secretariat.

The draft USSR laws and legislative proposals to be examined by the USSR Supreme Soviet are submitted to the USSR Supreme Soviet Presidium, and when the USSR Supreme Soviet is in session, to the chambers or chairmen of the chambers, and registered in the USSR Supreme Soviet Secretariat.

Article 127. If the form of the draft USSR law which has been submitted fails to correspond to the basic requirements of these standing orders and USSR legislative instruments on the procedure of the preparation of draft USSR laws or the draft and legislative proposal have been submitted without substantiation, such a draft or proposal may be returned by the USSR Supreme Soviet Presidium, the USSR Supreme Soviet chairman or the chairmen of the chambers to the sponsor of the bill.

Article 128. A registered bill or legislative proposal is forwarded, as a rule, for preliminary examination and the preparation of proposals on the procedure of further work thereon, in accordance with Article 123 of the USSR Constitution, to the appropriate standing commissions of the chambers and the committees of the USSR Supreme Soviet for legislation, legality and the rule of law. A head committee (head commission) for preparation of the findings is determined here.

The draft USSR laws and legislative proposals to be examined by the Congress of USSR People's Deputies are handed over to the commissions and committees by the USSR Supreme Soviet Presidium or the USSR Supreme Soviet chairman, and those to be examined by the USSR Supreme Soviet, by the USSR Supreme Soviet Presidium and the chambers or the chairmen of the chambers.

The Congress of USSR People's Deputies may form its own commission for the preparation or preliminary examination of a draft USSR law.

The draft USSR laws are distributed in good time to the USSR people's deputies. The deputies' observations and proposals are taken into consideration upon further work on the bills, which the deputies make known.

Article 129. The Congress of USSR People's Deputies or the USSR Supreme Soviet make a ruling with regard for the findings of the commissions of the Congress of USSR

People's Deputies, the standing commissions of the chambers and the committees of the USSR Supreme Soviet on the question of including the draft USSR law on the agenda of a given congress or a given session or on continuation of the work on a bill (legislative proposal) or its rejection.

The Congress of USSR People's Deputies or the USSR Supreme Soviet here may entrust preparation of the draft USSR law and the first reading to the same commissions or committees or broaden their composition with specification of the time the bill is to be presented.

Article 130. The procedure of examination of a draft USSR law or legislative proposal and the preparation of findings pertaining to a bill is determined independently by the commission of the Congress of USSR People's Deputies and the appropriate commission of a chamber or committee of the USSR Supreme Soviet on the basis of these standing orders and other laws of the USSR.

For work on draft USSR laws or legislative proposals the standing commissions and committees form preparatory commissions.

In the event of a draft USSR law or legislative proposal being examined in several committees of the USSR Supreme Soviet or standing commissions of the chambers, they form joint preparatory commissions.

The preparatory commissions and working groups may incorporate also USSR people's deputies who are not members of the commissions or committees.

The bill's sponsors have the right to participate in the work of the preparatory commissions.

The preparatory commissions may enlist in the working and editorial groups representatives of state and public authorities and research establishments, specialists, and scientists.

Alternative draft USSR laws are studied by the commissions and committees simultaneously with the main draft.

Article 131. With the consent of the head committee of the USSR Supreme Soviet or head standing commission of a chamber for a given bill or legislative proposal the preparatory commission has the right to make a ruling on the organization of preliminary discussion, with the participation of the pertinent soviets of people's deputies, of the draft which is in preparation locally—in the work force, in research establishments and public organizations, at citizens' meetings, and public amateur activity bodies.

Where necessary, the bills are forwarded for expert scientific analysis, and findings of the USSR Council of Ministers and the opinion of the pertinent ministries and departments and state and public authorities of the USSR and the union republics may be sought in respect of them.

The observations and proposals received in the process of discussing a bill are examined by the preparatory commission, and in respect of its report on the results of its work, at meetings of the appropriate commissions and committees.

Given disagreements between standing commissions of the chambers or committees of the USSR Supreme Soviet which have participated in the work on a bill on questions of its content or the expediency of its elaboration by the commissions or committees, measures to settle the disagreements are adopted. Questions in respect of which concordance is not achieved are brought up for examination by the chambers of the USSR Supreme Soviet.

Article 132. The draft USSR law and legislative proposal is discussed openly by the commissions and committees and covered by the media.

A USSR people's deputy who has not participated in the work of the commissions and committees has the right to forward to them his observations and amendments, which must be studied by the commissions and committees. The commissions or committees notify orally, as a rule, the USSR people's deputies who forwarded such observations and amendments of the results of study of the observations and amendments.

Chapter 9. Examination of Draft USSR Laws at the Congress of USSR People's Deputies and in the USSR Supreme Soviet

Article 133. Draft USSR laws submitted to the Congress of USSR People's Deputies or the USSR Supreme Soviet are examined in two readings, unless determined otherwise by the congress and the USSR Supreme Soviet in respect of a specific draft.

Draft USSR laws affecting the interests of the union republics and questions of their relations with organs of state power of the USSR are accepted for examination by the Congress of USSR People's Deputies, as a rule, after these drafts have been examined in the USSR Supreme Soviet.

Article 134. The text of a draft USSR law prepared for first reading and the material pertaining thereto are made available to the USSR people's deputies not later than three days prior to the first reading of this bill at the Congress of USSR People's Deputies or in the USSR Supreme Soviet respectively.

Article 135. Upon a first reading of a bill the Congress of USSR People's Deputies or the USSR Supreme Soviet receive in separate or joint meetings of the chambers the report of the sponsor of the bill and the supporting report of the head commission (head committee), discuss the basic provisions of the bill and express proposals and observations in the form of amendments and examine proposals concerning publication, if necessary, of the bill for discussion.

In accordance with the results of the discussion the Congress of USSR People's Deputies and the USSR Supreme Soviet approve the basic provisions of the bill or reject it. In the event of the bill's approval, the Congress of USSR People's Deputies and the USSR Supreme Soviet determine the time of its presentation for a second reading.

Given the submission of alternative draft USSR laws on one and the same issue, the Congress of USSR People's Deputies and the USSR Supreme Soviet simultaneously discuss them in the course of the first reading and make a ruling on which of the drafts in question is to be taken as the basis for preparation of the second reading.

A decision on a bill examined in its first reading is considered adopted if it is confirmed in the Congress of USSR People's Deputies by majority vote of the total number of USSR people's deputies or in both chambers of the USSR Supreme Soviet by majority vote of the members of each chamber. Such a decision is given legal form by a resolution of the Congress of USSR People's Deputies or the USSR Supreme Soviet respectively.

Article 136. Upon the first reading of draft USSR laws on issues which Article 116 of the USSR Constitution puts in the category of those to be examined primarily in the Soviet of the Union or the Soviet of Nationalities, the draft is discussed, following agreement between the chairman of the chambers, first in the chamber within whose province the bill chiefly falls and then in the other chamber.

In the process of examining a bill falling chiefly within the province of the Soviet of Nationalities this chamber ascertains and takes into consideration here the opinion of the union and autonomous republics, autonomous oblasts and autonomous okrugs on questions affecting their interests.

The chamber of the USSR Supreme Soviet which discussed the draft USSR law first presents its findings to the other chamber.

Article 137. If in the course of the first reading the Congress of USSR People's Deputies or the USSR Supreme Soviet deems that the submitted draft does not require amendments, it may adopt it without moving to a second reading.

Following examination of a bill in its first reading, the Congress of USSR People's Deputies or the USSR Supreme Soviet may hand it over for additional examination to the same commissions or committees or enlarge the number thereof or entrust it for additional work to other bodies.

At the decision of the Congress of USSR People's Deputies and the USSR Supreme Soviet a bill may be submitted for nationwide discussion.

Article 138. Amendments to a draft USSR law and individual articles thereof and proposals concerning the exclusion of this article or the other or the addition of this article or the other or the draft as a whole are made by the USSR people's deputies in writing to the Congress of USSR People's Deputies Presidium, the USSR Supreme Soviet Presidium or the chairman of the chambers, who pass them on to the appropriate commissions and committees no later than three days prior to the start of the second reading of the bill. Amendments and proposals pertaining to the draft law may also be submitted directly to the head committee (head commission) or another body, to whom additional work on the bill has been entrusted.

Article 139. The head committee (head commission) or another body, to whom additional work on the bill has been entrusted, examine the amendments to the draft which have been submitted and prepare it for its second reading.

The USSR people's deputies who have submitted amendments have the right to amplify their wording in the course of discussing a bill in the committees, commissions or the body to which additional work on the bill has been entrusted.

Amendments rejected in the course of additional work on a bill are appended to the text of the draft for their examination in the course of the second reading.

At a decision of the Congress of USSR People's Deputies Presidium, the USSR Supreme Soviet Presidium or the chairmen of the chambers coordinated with the leader of the head committee (head commission) or other body to which additional work on the draft has been entrusted the completed bill is presented for a second reading.

Article 140. Each amendment is discussed and voted on separately at the Congress of USSR People's Deputies and in each chamber. If several amendments are proposed to one and the same article of a draft, those whose adoption or rejection will make it possible to decide the question of the other amendments are discussed and voted on initially.

If with the authorization of the Congress of USSR People's Deputies or the USSR Supreme Soviet amendments are submitted in the course of the second reading, the chairman has the right to announce a break in the meeting for the preparation of findings on the amendments of the corresponding commissions and committees. The Congress of USSR People's Deputies or the USSR Supreme Soviet listen to the findings of the commissions and the committees on the amendments. The USSR people's deputy who submitted the amendment is given the floor here to substantiate the amendment if he disagrees with the proposal of the commission or committee pertaining to the given amendment. The amendments are not debated in this case.

Article 141. Given a second reading of a draft USSR law, a report is delivered by the chairman of the head committee (head commission) or his deputy or the leader of the body which performed additional work on the draft in respect of the given bill. The bill is discussed

article by article, by section and as a whole. The return for additional work on individual parts or the bill as a whole to the pertinent commissions and committees is possible during the discussion.

Article 142. Each article or a section or a chapter of a draft USSR law with the amendments which have been made and then the entire draft as a whole are put to the vote. The Congress of USSR People's Deputies and the chambers of the USSR Supreme Soviet may adopt a decision to vote immediately on the bill as a whole.

In accordance with a submission from the chairman of the head commission or head committee or on his own initiative the chairman may, prior to a vote on a bill as a whole, forward it to the pertinent commission or committee for verification of the absence of intrinsic contradictions and the soundness of the relationship of its articles.

Article 143. As a result of the second reading the Congress of USSR People's Deputies or the USSR Supreme Soviet enacts the USSR law or votes it down or returns it for additional work.

In accordance with a decision of the Congress of USSR People's Deputies the most important draft USSR laws may be put to a nationwide vote (referendum). The referendum is conducted in the procedure determined by USSR law.

Article 144. In accordance with Article 108 of the USSR Constitution, the Congress of USSR People's Deputies enacts USSR laws by majority vote of the total number of USSR people's deputies.

A change is made to the USSR Constitution by decision of the Congress of USSR People's Deputies adopted by a majority of no less than two-thirds of the total number of USSR people's deputies.

A USSR law is considered enacted by the USSR Supreme Soviet if in each chamber of the USSR Supreme Soviet a majority of the total number of members of the chamber has voted for its enactment.

Article 145. Draft USSR laws concerning a change in the USSR Constitution and on other questions within the executive province of the Congress of USSR People's Deputies examined and approved by the USSR Supreme Soviet are handed over by the USSR Supreme Soviet for examination by the Congress of USSR People's Deputies.

The Congress of USSR People's Deputies may accept for its examination the draft of any USSR law.

Article 146. All decisions of one chamber of the USSR Supreme Soviet on the examination and adoption of a draft USSR law are passed on to the other chamber and examined therein.

Disagreements between the Soviet of the Union and the Soviet of Nationalities are removed in the procedure stipulated by Article 117 of the USSR Constitution.

The proposals of the conciliation commission pertaining to the settlement of disagreements are conveyed to the members of both chambers in writing. The conciliation commission may propose for examination by the chambers several versions of a settlement of the disagreements.

An equal number of members of each chamber speaks during discussion of the proposals of the conciliation commission at a joint meeting of the chambers of the USSR Supreme Soviet. The speeches of the members of the chambers are delivered in turn, from each chamber alternately. The members of the chambers may put forward their own proposals pertaining to a settlement of the disagreements distinct from the proposals of the conciliation commission.

A proposal concerning a settlement of disagreements is considered adopted if a majority of the total number of members of each chamber has voted for it.

In the event of a proposal concerning a settlement of disagreements failing to obtain a majority of the vote in just one chamber even, the question is passed on for examination by the Congress of USSR People's Deputies.

Article 147. The text of an enacted USSR law signed by the chairman of the USSR Supreme Soviet is forwarded to the USSR Supreme Soviet Presidium for publication. USSR laws are published in accordance with the USSR Law on the Procedure of the Publication and Validation of USSR Laws and Other Instruments Enacted by the Congress of USSR People's Deputies and the USSR Supreme Soviet and Their Bodies.

Chapter 10. The Adoption of Other Decisions by the Congress of USSR People's Deputies and the USSR Supreme Soviet and Their Bodies

Article 148. For the purpose of exercising their administrative and supervisory authority the Congress of USSR People's Deputies and the USSR Supreme Soviet and its chambers adopt resolutions; the USSR Supreme Soviet Presidium, edicts and resolution; and the chairman of the USSR Supreme Soviet, rulings.

The Congress of USSR People's Deputies, the USSR Supreme Soviet, its Presidium and the chairman of the USSR Supreme Soviet may adopt appeals, declarations and statements.

Article 149. The Congress of USSR People's Deputies adopts resolutions:

on the results of the examination of questions concerning the basic directions of the USSR's domestic and foreign policy;

on the election of the chairman of the USSR Supreme Soviet and his first deputy, the USSR Supreme Soviet and the USSR Constitutional Oversight Committee;

on confirmation of the chairman of the USSR Council of Ministers, the chairman of the USSR People's Control Committee, the chairman of the USSR Supreme Court, the USSR prosecutor general and the USSR chief state arbitrator;
on a nationwide vote (referendum);
on the annulment of resolutions adopted by the USSR Supreme Soviet;
on reports and accounts of bodies and officials responsible to the Congress of USSR People's Deputies;
on the requests of the USSR people's deputies;
on questions of the organization of their own work;
on other questions connected with the exercise of administrative and supervisory authority.

The Congress of USSR People's Deputies adopts resolutions by a majority vote of the total number of USSR people's deputies, unless the USSR Constitution stipulates a different procedure of adopting the congress' resolutions.

Article 150. The congress' decisions on procedural matters are adopted by a majority of the vote of USSR people's deputies present at the meeting, unless these standing orders determine a different procedure for deciding on these matters, are officially minuted without the adoption of resolutions, and recorded in the stenographic report of the meetings.

Article 151. The USSR Supreme Soviet examines questions of the election, appointment, and confirmation of the bodies and officials accountable to it at joint meetings of the chambers.

Resolutions of the USSR Supreme Soviet on the said questions are adopted by general vote of the members of the Soviet of the Union and the Soviet of Nationalities by a majority of the votes of the total number of members of the USSR Supreme Soviet, unless these standing orders determine otherwise.

Other questions connected with the USSR Supreme Soviet's exercise of administrative and supervisory authority are examined at joint or separate meetings of the chambers. Resolutions on these matters are adopted by a majority of the vote of the total number of members of the USSR Supreme Soviet or the members of each of its chambers, unless these standing orders provide for a different procedure of adopting resolutions.

Decisions of the USSR Supreme Soviet on procedural matters are adopted by a majority vote of members of the USSR Supreme Soviet present at a meeting, officially minuted without the adoption of resolutions, and recorded in the stenographic report of the meetings.

Article 152. The drafts of the most important resolutions of the Congress of USSR People's Deputies and the USSR Supreme Soviet on questions of state, economic, and socio-cultural building may at the decision of these authorities be examined in two readings in accordance with the rules laid down by these standing orders in respect of examination of draft USSR laws.

Article 153. On matters within its province each chamber of the USSR Supreme Soviet adopts resolutions by a simple majority vote of the total number of members of the chamber.

A resolution adopted by one chamber is, if necessary, passed on to the other chamber and, upon approval, acquires the force of a resolution of the USSR Supreme Soviet.

Article 154. The chairman of the USSR Supreme Soviet signs USSR laws, resolutions of the congress and USSR Supreme Soviet, and edicts and resolutions of the USSR Supreme Soviet Presidium.

Article 155. Commissions of the Congress of USSR People's Deputies, standing and temporary commissions of the chambers, and committees of the USSR Supreme Soviet adopt resolutions on the questions they discuss and also present findings on draft USSR laws and other decisions sent them by the Congress of USSR People's Deputies, the USSR Supreme Soviet, its Presidium, and the chairman of the USSR Supreme Soviet.

Resolutions of commissions of the Congress of USSR People's Deputies and standing and temporary commissions of the chambers and committees of the USSR Supreme Soviet are adopted by simple majority vote of the members of the commissions and committees present at the corresponding meeting.

Section X. Examination of State Plans and Most Important All-Union Programs of the USSR's Economic and Social Development and the USSR State Budget and Reports on Their Fulfillment

Article 156. Draft long-term state plans and most important All-Union programs of the USSR's economic and social development are submitted to the USSR Supreme Soviet by the USSR Council of Ministers no later than two months prior to their examination at meetings of the chambers of the USSR Supreme Soviet.

The USSR Supreme Soviet Presidium sends the said drafts for preliminary examination and the preparation of findings thereon to the Plan and Budget-Finance Commission of the Soviet of the Union, the Commission for the Social and Economic Development of the Union and Autonomous Republics and Autonomous Oblasts and Okrugs of the Soviet of Nationalities, and other interested standing commissions of the chambers and the committees of the USSR Supreme Soviet.

Article 157. The standing commissions of the chambers and the committees of the USSR Supreme Soviet communicate to the Plan and Budget-Finance Commission of the Soviet of the Union their proposals and observations pertaining to these drafts no later than a month prior to examination at meetings of the chambers of the

USSR Supreme Soviet of the long-term state plans and most important All-Union programs of the USSR's economic and social development.

Material on the drafts of the long-term plan and programs of the USSR's economic and social development is handed to the USSR people's deputies no later than two weeks prior to the opening of the Congress of USSR People's Deputies.

Article 158. The drafts of the long-term state plans and most important All-Union programs of the USSR's economic and social development are presented following their examination and approval at a session of the USSR Supreme Soviet for confirmation by the Congress of USSR People's Deputies.

If necessary, the Congress of USSR People's Deputies may adopt a resolution on supplementary expert appraisal of the said drafts or their presentation for nationwide discussion.

Article 159. The state plans of the economic and social development of the USSR, the USSR state budget and reports on their fulfillment and also drafts of the corresponding USSR laws and resolutions are submitted to the USSR Supreme Soviet by the USSR Council of Ministers no later than two months prior to their examination at the fall session of the USSR Supreme Soviet.

The USSR Supreme Soviet Presidium forwards the said plans and state budget of the USSR and the reports on their fulfillment for preliminary examination and the preparation of findings thereon to the Plan and Budget-Finance Commission of the Soviet of the Union, the Commission for the Social and Economic Development of the Union and Autonomous Republics and Autonomous Oblasts and Okrugs of the Soviet of Nationalities, and other interested standing commissions of the chambers and committees of the USSR Supreme Soviet.

Article 160. The standing commissions of the chambers and the committees of the USSR Supreme Soviet communicate to the Plan and Budget-Finance Commission of the Soviet of the Union their proposals and observations pertaining to the plan and budget and the reports on their fulfillment and also the drafts of the corresponding USSR laws and resolutions of the USSR Supreme Soviet no later than a month prior to their examination at meetings of the chambers of the USSR Supreme Soviet.

Material on the plan and budget and the reports on their fulfillment and also the corresponding findings of the standing commissions of the chambers and committees are handed to the USSR people's deputies no later than two weeks prior to their examination at meetings of the chambers of the USSR Supreme Soviet.

Article 161. The Law on the USSR State Budget is put to the vote following confirmation by the USSR Supreme Soviet of the sum total of income and sum total of expenditure of the USSR state budget, unless the chambers decide otherwise.

The Supreme Soviet adopts resolutions on confirmation of the state plans of the USSR's economic and social development and the reports of their fulfillment and fulfillment of the USSR state budget.

Article 162. The USSR Supreme Soviet exercises supervision of the course of fulfillment of the state plan of the USSR's economic and social development and the state budget and receives reports from the USSR Council of Ministers on these questions.

Section XI. Examination of Foreign Policy Matters

Article 163. The Congress of USSR People's Deputies and the USSR Supreme Soviet examine questions of foreign policy on their own initiative or in respect of reports and communications of the USSR Council of Ministers, commissions of the Congress of USSR People's Deputies, standing commissions of the chambers and committees of the USSR Supreme Soviet, other state bodies, and public organizations.

Article 164. The Congress of USSR People's Deputies and the USSR Supreme Soviet adopt declarations, appeals, and statements expressing the position of the Congress of USSR People's Deputies or the USSR Supreme Soviet on general or particular issues concerning the USSR's foreign policy and international relations.

The initiative for the adoption by the Congress of USSR People's Deputies and the USSR Supreme Soviet of declarations, appeals, and statements may come from bodies, organizations, and persons with the right of legislative initiative.

Where necessary, draft declarations, appeals, and statements may by decision of the Congress of USSR People's Deputies or the USSR Supreme Soviet be forwarded for preliminary examination by commissions of the Congress of USSR People's Deputies, standing commissions of the chambers, the USSR Supreme Soviet International Affairs Committee, and other committees of the USSR Supreme Soviet.

Article 165. The procedure of the activity of the Congress of USSR People's Deputies and the USSR Supreme Soviet connected with the conclusion, fulfillment, and denunciation of international treaties of the USSR is determined by the USSR Law on the Procedure of the Conclusion, Fulfillment, and Denunciation of International Treaties of the USSR.

Article 166. The USSR Supreme Soviet Presidium annually adopts a plan of cooperation with the parliaments of other states. The draft plan is prepared by the USSR Supreme Soviet International Affairs Committee with regard for the opinions of the standing commissions of the chambers and the committees of the USSR Supreme Soviet.

The USSR Supreme Soviet Presidium confers with the presidiums of the supreme soviets of the union republics when implementing the plan of cooperation with the parliaments of other states.

The USSR Supreme Soviet or its Presidium determine the composition of official parliamentary delegations sent to foreign countries with regard for the proposals of the standing commissions of the chambers and the committees of the USSR Supreme Soviet.

Within 15 days following the end of a visit a delegation of the USSR Supreme Soviet submits a report to the USSR Supreme Soviet or its Presidium, which is preliminarily studied by the International Affairs Committee. On the most important questions the delegation's report may be heard at a joint meeting of the chambers of the USSR Supreme Soviet.

The USSR Supreme Soviet International Affairs Committee compiles at the end of each year a report on the realization of the USSR Supreme Soviet's programs of cooperation with the parliaments of other states and submits it for examination by the USSR Supreme Soviet.

Article 167. The appointment and recall of the USSR's diplomatic representatives in foreign states and at international organizations and the acceptance of credentials and letters of recall of diplomatic representatives of foreign states accredited to the USSR Supreme Soviet Presidium are undertaken by the USSR Supreme Soviet Presidium.

When deciding on questions of the appointment or recall of diplomatic representatives of the USSR, the USSR Supreme Soviet Presidium may request findings of the USSR Supreme Soviet International Affairs Committee.

Article 168. The USSR Supreme Soviet and its Presidium assist the USSR Parliamentary Group, which unites all USSR people's deputies and is guided in its activity by the USSR Parliamentary Group Regulations.

Section XII. Exercise by the Congress of USSR People's Deputies and the USSR Supreme Soviet of Supervisory Authority

Article 169. The Congress of USSR People's Deputies and the USSR Supreme Soviet exercise, directly and via the bodies they form, supervision of the compliance and implementation by state and public authorities, organizations, and citizens' associations of the USSR Constitution, USSR laws, and other decisions of the Congress of USSR People's Deputies and the USSR Supreme Soviet; the fulfillment of long-term state plans and most important All-Union programs of the USSR's economic and social development, state plans of the USSR's economic and social development and the USSR state budget; and the activity of the state authorities formed or elected by the Congress of USSR People's Deputies and the USSR Supreme Soviet and also of the officials whom they elect or appoint.

Article 170. The chairman of the USSR Supreme Soviet, the chairman of the USSR Council of Ministers, the chairman of the USSR People's Control Committee, the chairman of the USSR Supreme Court, the USSR prosecutor general, and the USSR chief state arbitrator render account at the Congress of USSR People's Deputies no less than once in the term of their authority.

Once a year the chairman of the USSR Supreme Soviet presents to the Congress of USSR People's Deputies and the USSR Supreme Soviet reports on the state of the country and on important issues of the USSR's domestic and foreign policy and the assured defense capability and security of the USSR.

Article 171. In accordance with Article 118 of the USSR Constitution, the USSR Supreme Soviet Presidium renders account of its work to the USSR Supreme Soviet.

The report of the USSR Supreme Soviet Presidium is delivered not less than once a year to the USSR Supreme Soviet by the chairman of the USSR Supreme Soviet or the first deputy chairman. The text of the report is distributed beforehand to members of the USSR Supreme Soviet.

At the proposal of each chamber or no less than one-fifth of the members of the USSR Supreme Soviet, the USSR Supreme Soviet may at any time receive a report of the USSR Supreme Soviet Presidium on its work as a whole or on individual aspects of its activity.

Article 172. In accordance with Article 130 of the USSR Constitution, the USSR Council of Ministers renders account of its work no less than once a year to the USSR Supreme Soviet, delivering the report to the USSR Supreme Soviet at the end of each calendar year.

At the proposal of each chamber, the chairman of the USSR Supreme Soviet and the standing commissions of the chambers and committees of the USSR Supreme Soviet or no less than one-fifth of the members of the USSR Supreme Soviet, the USSR Supreme Soviet may at any time receive a report from the USSR Council of Ministers on its work as a whole or on individual aspects of its activity.

The report of the USSR Council of Ministers is submitted by the chairman of the USSR Council of Ministers to the USSR Supreme Soviet. The text of the report is distributed to the USSR people's deputies no later than a month prior to its examination at the USSR Supreme Soviet session.

Prior to its examination at the USSR Supreme Soviet session, the report of the USSR Government is presented for their findings to the standing commissions of the chambers and the committees of the USSR Supreme Soviet.

Article 173. On behalf of the USSR Government the report is delivered to a joint meeting of the chambers of the USSR Supreme Soviet by the chairman of the USSR Council of Ministers or one of his first deputies, if a

report on the activity of the government as a whole is being heard, or by a deputy chairman of the USSR Council of Ministers if a report of the government on individual aspects of its activity is being examined.

Debate may be inaugurated after the report of the USSR Council of Ministers and the supporting reports of the standing commissions of the chambers and the committees of the USSR Supreme Soviet have been heard. The USSR Supreme Soviet adopts a resolution on the results of the discussion.

In the event of the activity of the USSR Council of Ministers being deemed unsatisfactory, the USSR Supreme Soviet may pose the question of a change in the USSR Government and may also express no confidence in the USSR Government as a whole. Resolutions on these issues are adopted by a majority vote of no less than two-thirds of the total number of members of the USSR Supreme Soviet.

Article 174. The USSR Supreme Soviet may at any time receive the report of each member of the USSR Government.

The USSR Supreme Soviet adopts a resolution on the report of a member of the government.

Article 175. The USSR People's Control Committee, the USSR Supreme Court and the USSR prosecutor general and USSR chief state arbitrator present an account of their activity to the USSR Supreme Soviet no less than once a year.

The report of the USSR People's Control Committee is forwarded by the USSR Supreme Soviet Presidium, the chairman of the USSR Supreme Soviet, and his first deputy for discussion by the USSR Supreme Soviet Committee for Work With the Soviets and the Development of Management and Self-Management; and the reports of the USSR Supreme Court and the USSR prosecutor general and USSR chief state arbitrator are forwarded for the findings of the USSR Supreme Soviet Committee for Legislation, Legality and the Rule of Law, which prepare and present together with their findings draft USSR Supreme Soviet resolutions on these reports also. The said reports may be forwarded for the findings of other commissions and committees also.

The USSR Supreme Soviet adopts resolutions on the results of the discussion of the activity of the bodies specified in paragraph one of this article.

Article 176. The USSR people's deputy, a group of deputies, and also a standing commission of a chamber and a committee of the USSR Supreme Soviet have the right to present the request or demand for an official explanation or exposition of the position on an issue of importance for the country's state, economic, and sociocultural building to the USSR Supreme Soviet chairman, the USSR Council of Ministers, and the leaders of other bodies formed or elected by the Congress of USSR People's Deputies and the USSR Supreme Soviet.

The request may be submitted at the Congress of USSR People's Deputies and a session of the USSR Supreme Soviet in writing or verbally. A request submitted in a chamber of the USSR Supreme Soviet is brought to the attention of the other chamber.

A request submitted in writing is read out by the chairman at the meeting or brought to the attention of the deputies by distributing to them the text of the request.

The chairman at a meeting conveys the request to the body or official to whom the request is addressed. The body or official to whom the request is addressed is obliged to give an answer to the request verbally or in writing within three days at the given Congress of USSR People's Deputies or the given session of the USSR Supreme Soviet respectively.

The deputy or group of deputies on whose behalf the request was submitted may appeal to the body or official who gave the answer to the request for additional clarification and deliver as rejoinder and complaint.

After it has been heard, the answer to the request may be put up for discussion. A decree is adopted on the answer to the request.

The request of a deputy addressed to the chairman of the USSR Supreme Soviet, the USSR prosecutor general, and the leaders of the investigatory authorities may not concern specific matters in their procedure.

Article 177. The agenda of the Congress of USSR People's Deputies and the USSR Supreme Soviet is determined so that it provides for a reserve of time for requests and questions. Meetings specially devoted to requests and questions and answers to them could be planned and also time at the end of meetings could be set aside for this purpose.

Up to 15 minutes are allowed for an answer to a request, and to a question, 10 minutes.

Article 178. The proposals and observations expressed in the Congress of USSR People's Deputies and at a session of the USSR Supreme Soviet or conveyed in writing to the chairman at a meeting are examined by the congress and the Supreme Soviet or forwarded by them for examination by the appropriate state and public authorities and officials.

Article 179. The USSR Supreme Soviet Presidium exercises supervision of compliance with the USSR Constitution and ensures that the constitutions and laws of the union republic are in keeping with the USSR Constitution and USSR laws.

In the event that it is ascertained that a constitution or law of a union republic is at variance with the USSR Constitution or a USSR law, the USSR Supreme Soviet Presidium confronts the presidium of the supreme soviet of the union republic with the question of the constitution or law of the union republic being brought into line

with the USSR Constitution or USSR law, issuing, if necessary, an edict on this matter.

Article 180. Participating in the exercise of supervision of the implementation of USSR laws and other rulings of the Congress of USSR People's Deputies and the USSR Supreme Soviet and the activity of state and public authorities, the standing commissions of the chambers and committees of the USSR Supreme Soviet draw up proposals and adopt recommendations for compulsory examination by the corresponding authorities.

Supervision of the activity of state and public authorities by the standing commissions of the chambers and committees of the USSR Supreme Soviet is exercised in the procedure determined by the USSR Law on Standing Commissions of the Chambers and Committees of the USSR Supreme Soviet.

Article 181. The Congress of USSR People's Deputies and the USSR Supreme Soviet and each of its chambers may, when they deem it necessary, create investigatory, auditing, and other commissions on any matter. The missions of these commissions are determined at the time they are created by the Congress of USSR People's Deputies and the USSR Supreme Soviet or its chambers.

The procedure of the creation, the authority, and other questions of the organization and activity of these commissions are determined in accordance with Articles 40 and 41 of these standing orders.

Article 182. The leaders of state and public authorities and other officials are liable in accordance with legislation of the USSR and the union republic for presenting the Congress of USSR People's Deputies and the USSR Supreme Soviet and their bodies with apocryphal information or for the deliberate concealment of information.

Section XIII. Final Provisions

Article 183. The estimates of expenditure connected with the activity of the Congress of USSR People's Deputies, the USSR Supreme Soviet and its bodies, and the USSR people's deputies are confirmed by the USSR Supreme Soviet.

Article 184. Organizational, technical and other support for the activity of the Congress of USSR People's Deputies, the USSR Supreme Soviet and its bodies, and the USSR people's deputies is provided by the USSR Supreme Soviet Secretariat. For organization of coverage of the work of the USSR Supreme Soviet by the media there is in the USSR Supreme Soviet Secretariat the USSR Supreme Soviet Press Center. The press center regularly conducts briefings, and on the most important matters to be examined at congresses of USSR people's deputies and USSR Supreme Soviet sessions and in the committees and commissions, press conferences for Soviet and foreign journalists.

Article 185. The regulations governing the USSR Supreme Soviet Secretariat are confirmed by the USSR Supreme Soviet, and its structure, staff, and expenditure estimates, by the USSR Supreme Soviet Presidium, with regard for the examination of these questions in the standing commissions of the chambers and the committees of the USSR Supreme Soviet.

M. Gorbachev, chairman of the USSR Supreme Soviet.
The Kremlin, Moscow, 20 December 1989.

Resolution on Standing Orders

90US0354B Moscow IZVESTIYA in Russian
29 Dec 89 Morning Edition p 5

[Resolution of Congress of USSR People's Deputies: "Promulgation of Standing Orders of Congress of USSR People's Deputies and USSR Supreme Soviet"]

[Text] The Congress of USSR People's Deputies resolves:

1. To promulgate the Congress of USSR People's Deputies and USSR Supreme Soviet Standing Orders as of their adoption.

2. To recognize as possible the alterations and additions to the Congress of USSR People's Deputies and USSR Supreme Soviet Standing Orders made by the USSR Supreme Soviet on questions of the activity of the USSR Supreme Soviet with their subsequent presentation for confirmation by the Congress of USSR People's Deputies.

To instruct the USSR Supreme Soviet to study the question of forming a committee of the USSR Supreme Soviet for the procedure of the work of the highest organs of state power of the USSR.

3. In connection with the adoption of the Congress of USSR People's Deputies and USSR Supreme Soviet Standing Orders to recognize as having been superseded:

1) The temporary standing orders of meetings of the Congress of USSR People's Deputies confirmed by the resolution of the Congress of USSR People's Deputies of 25 May 1989 (VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA SSSR No 1, 1989, Article 3);

2) The procedure for conducting a secret ballot and determining its results at the Congress of USSR People's Deputies confirmed by the resolution of the Congress of USSR People's Deputies of 26 May 1989 (VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA SSSR No 1, 1989, Article 8);

3) The resolution of the USSR Supreme Soviet of 3 July 1989 "Procedure of Decision-Making by the USSR Supreme Soviet and its Bodies" (VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA No 5, 1989, Article 129);

4) The temporary rules for presenting to the USSR Supreme Soviet and for examination in committees of the USSR Supreme Soviet and the standing commissions

of its chambers of draft USSR laws and proposals concerning the enactment of USSR laws confirmed by the resolution of the USSR Supreme Soviet of 19 July 1989 (VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA No 7, 1989, Article 171);

5) The USSR Supreme Soviet Standing Orders adopted by the USSR Supreme Soviet on 19 April 1979 (VEDOMOSTI VERKHOVNOGO SOVETA SSSR No 17, 1979, Article 272);

6) Article 2 of the USSR Supreme Soviet Presidium edict of 22 June 1987 "Alterations and Additions to USSR Legislation on Matters of State Arbitration" (VEDOMOSTI VERKHOVNOGO SOVETA SSSR No 25, 1987, Article 355).
M. Gorbachev, chairman of the USSR Supreme Soviet.
The Kremlin, Moscow, 20 December 1989.

USSR Law on Constitutional Oversight

90US0336A Moscow IZVESTIYA in Russian
26 Dec 89 Morning Edition p 2

[USSR Law on Constitutional Oversight in USSR]

[Text]

I. General Provisions

Article 1. Purposes of Constitutional Oversight in the USSR

Constitutional oversight in the USSR is established for the purpose of ensuring the correspondence of instruments of state bodies and public organizations to the USSR Constitution and the constitutions of the union and autonomous republics, protection of the constitutional rights and liberties of the individual, the rights of the peoples of the USSR, and the democratic foundations of Soviet society.

Article 2. Constitutional Oversight Authorities

Constitutional oversight in the USSR is exercised by the USSR Constitutional Oversight Committee and the constitutional oversight authorities of the union and autonomous republics.

Article 3. Basic Principles of the Activity of the Constitutional Oversight Authorities

The organs of constitutional oversight in the USSR operate on the basis of socialist legality, collegiality, and glasnost.

The organs of constitutional oversight in the USSR are independent and subordinate only to the USSR Constitution and the constitutions of the union and autonomous republics.

Any interference whatever in the activity of the constitutional oversight authorities is prohibited and entails responsibility in accordance with the law.

Article 4. Legislation Governing Constitutional Oversight in the USSR

The tasks, organization and procedure of the exercise of constitutional oversight in the USSR are determined by the USSR Constitution, the constitutions of the union and autonomous republics and this law and also the laws of the union and autonomous republics governing constitutional oversight authorities.

II. Composition of and Procedure for the Election of the USSR Constitutional Oversight Committee

Article 5. Composition of the USSR Constitutional Oversight Committee

The USSR Constitutional Oversight Committee is elected from the ranks of specialists in the field of politics and law in the shape of a chairman, deputy chairman, and 25 committee members, one for each union republic included.

Article 6. Election of the USSR Constitutional Oversight Committee

The chairman, deputy chairman, and members of the USSR Constitutional Oversight Committee are elected by the Congress of USSR People's Deputies for a 10-year term.

Proposals concerning the personal composition of the USSR Constitutional Oversight Committee are submitted to the Congress of USSR People's Deputies by the chairman of the USSR Supreme Soviet.

A person who has obtained a majority of the votes of the total number of USSR people's deputies is deemed elected.

For the purpose of ensuring continuity in the activity of the USSR Constitutional Oversight Committee half of it is replaced every five years.

The newly elected members of the committee take up their duties from the time of completion of the term of the authority of the persons departing.

Article 7. Oath of Allegiance of Persons Elected to the USSR Constitutional Oversight Committee

The chairman of the USSR Supreme Soviet conducts the swearing-in of the persons elected to the USSR Constitutional Oversight Committee.

The oath of allegiance reads: "I solemnly swear to conscientiously perform the duties entrusted to as a member of the USSR Constitutional Oversight Committee and to submit here to all provisions of the USSR Constitution and none other".

Article 8. Early Termination of the Authority of Persons Elected to the USSR Constitutional Oversight Committee

The authority of a person elected to the USSR Constitutional Oversight Committee may be terminated ahead

of time upon his tendering of his resignation; in accordance with his state of health preventing him from performing his duties; in the event of violation of the oath; in connection with a conviction by a court of law taking effect with regard to him.

The ruling on the early termination of the authority of a person who is a member of the USSR Constitutional Oversight Committee is made in accordance with a submission of the chairman of the USSR Supreme Soviet by the Congress of USSR People's Deputies.

When the Congress of USSR People's Deputies is not in session, the authority of a person elected to the USSR Constitutional Oversight Committee may be suspended in the event of his violation of the oath or of a conviction by a court of law taking effect with regard to him. The ruling on the suspension of authority is made by the USSR Supreme Soviet upon the submission of the chairman of the USSR Supreme Soviet.

Article 9. Supplementary Election to the USSR Constitutional Oversight Committee

In the event of the early departure of a person who was a member of the USSR Constitutional Oversight Committee, the Congress of USSR People's Deputies additionally elects another person to the committee for the remaining term of authority.

In the event of the early departure of a person who was a member of the USSR Constitutional Oversight Committee less than a year prior to the expiration of the term of his authority, there is no election of a new member of the committee to replace the one who has departed.

III. Authority and Procedure of the Activity of the USSR Constitutional Oversight Committee

Article 10. Instruments Under the Supervision of the USSR Constitutional Oversight Committee

The USSR Constitutional Oversight Committee examines questions concerning the correspondence to the USSR Constitution of:
—Draft laws of the USSR and other instruments submitted for examination by the Congress of USSR People's Deputies;
—Laws of the USSR and other instruments enacted by the Congress of USSR People's Deputies; and
—Constitutions of the union republics.

The USSR Constitutional Oversight Committee exercises supervision of the correspondence to the USSR Constitution and the laws of the USSR enacted by the Congress of USSR People's Deputies of: Laws of the USSR and other instruments enacted by the USSR Supreme Soviet and decrees of the Soviet of the Union and Soviet of Nationalities and also draft instruments submitted for examination by these bodies.

The USSR Constitutional Oversight Committee exercises supervision of the correspondence to the USSR Constitution and the laws of the USSR enacted by the Congress of USSR People's Deputies and the USSR Supreme Soviet of:
—Edicts and decrees of the USSR Supreme Soviet Presidium;
—Laws of the union republics;
—Ordinances and regulations of the USSR Council of Ministers;
—International treaty and other obligations of the USSR and the union republics submitted for ratification or confirmation;
—Directives of the USSR Supreme Court Plenum; and
—Instruments of the USSR procurator general and USSR chief state arbitrator of a normative nature and also normative legislative instruments of other state authorities and public organizations in respect of which, in accordance with the USSR Constitution, legality supervision by the procuracy is not exercised.

The supervisory functions of the USSR Constitutional Oversight Committee do not extend to sentences and other rulings of courts of law and decisions of the investigative authorities, the procuracy and state arbitration in respect to civil, criminal, administrative, and arbitration matters.

Article 11. Examination of Disagreements

In the event of disagreements arising between the USSR and the republics, between union republics, and between union republics and national-state and national-territorial formations apropos the constitutionality of instruments adopted by their organs of state power and administration, the USSR Constitutional Oversight Committee examines these disagreements on the initiative of either party to the dispute in accordance with the rules determined by this law and the standing orders of the USSR Constitutional Oversight Committee.

Article 12. Submittal of Questions for Examination by the USSR Constitutional Oversight Committee

The USSR Constitutional Oversight Committee accepts a question for examination:

1) At the behest of the Congress of USSR People's Deputies—in respect to draft laws of the USSR and other instruments submitted for examination by the Congress of USSR People's Deputies;

2) In accordance with the proposals of no less than one-fifth of USSR people's deputies, the chairman of the USSR Supreme Soviet and the highest organs of state power of the union republics—in respect to laws of the USSR and other instruments enacted by the Congress of USSR People's Deputies;

3) At the behest of the Congress of USSR People's Deputies and in accordance with the proposals of the USSR Supreme Soviet, the USSR Supreme Soviet Presidium and the highest organs of state power of the union republics —in respect to the constitutions and laws of the union republics;

4) At the behest of the Congress of USSR People's Deputies and in accordance with the proposals of no less than one-fifth of the members of the USSR Supreme Soviet, the chairman of the USSR Supreme Soviet, and the highest organs of state power of the union republics—in respect to laws of the USSR and other instruments enacted by the USSR Supreme Soviet and decrees of the Soviet of the Union and Soviet of Nationalities and also draft instruments submitted for examination by these bodies; ordinances and regulations of the USSR Council of Ministers; international treaty and other obligations of the USSR and the union republics;

5) At the behest of the Congress of USSR People's Deputies and in accordance with the proposals of the USSR Supreme Soviet and its chambers, the USSR Supreme Soviet Presidium, the chairman of the USSR Supreme Soviet, the standing commissions of the chambers and committees of the USSR Supreme Soviet, the USSR Council of Ministers, the highest organs of state power of the union republics, the USSR People's Control Committee, the USSR Supreme Court, the USSR procurator general, the USSR chief state arbitrator, All-Union organs of public organizations, and the USSR Academy of Sciences—in respect to normative legislative instruments of other state bodies and public organizations.

The USSR Constitutional Oversight Committee also has the right on its own initiative to examine questions concerning the correspondence to the USSR Constitution and laws of the USSR of instruments of the highest organs of state power and administration of the USSR and other bodies formed or elected by the Congress of USSR People's Deputies and the USSR Supreme Soviet.

If organs of state administration, the judicial, procuracy, and other security and law enforcement authorities, public organizations, and citizens discover a discrepancy between a law or other legislative instrument and the USSR Constitution, they notify of this the body authorized to convey the question for examination by the USSR Constitutional Oversight Committee.

The USSR Constitutional Oversight Committee has the right to reject as not being within its jurisdiction individual commissions, proposals, and appeals.

Article 13. Acceptance for Examination of Questions by the USSR Constitutional Oversight Committee on Its Own Initiative

The right to submit a question for examination by the USSR Constitutional Oversight Committee on its own initiative belongs to the chairman, deputy chairman, and members of the USSR Constitutional Oversight Committee.

The decision to examine a question is made by majority vote of the members of the committee participating in the meeting.

Article 14. Chairman of the USSR Constitutional Oversight Committee

The chairman of the USSR Constitutional Oversight Committee exercises general leadership of the committee's work, convenes meetings thereof on his own initiative or in accordance with a proposal of no less than three members of the committee, and presides at them and also exercises other functions entrusted to him by this law.

The deputy chairman of the USSR Constitutional Oversight Committee performs on the authority of the committee chairman some of his functions and deputizes for the chairman in the event of his absence or it being impossible for him to exercise his functions himself.

In the event of it being impossible for the committee chairman and his deputy to exercise their functions, the committee elects from its own ranks an interim chairman who acts in this capacity until the return of the chairman or his deputy to the performance of their duties or until the election by the Congress of USSR People's Deputies of a new chairman and deputy chairman of the committee.

Article 15. Members of the USSR Constitutional Oversight Committee

The member of the USSR Constitutional Oversight Committee enjoys the right to vote on all questions examined by the committee.

The member of the committee does not have the right to publicly express his opinion on the correspondence or noncorrespondence to the USSR Constitution and the laws of the USSR of instruments and draft instruments being examined by the committee before the committee has made a ruling on this question.

Article 16. Preparation for Examination of a Question in the USSR Constitutional Oversight Committee

The chairman of the USSR Constitutional Oversight Committee entrusts the preparation for examination of a question at a committee meeting to one or several members of the committee and determines the time of its completion, which must not be in excess of six months. In the course of preparation of the question, the members of the committee have the right:

—To obtain from state authorities and public organizations any documents and other information pertaining to the given question;
—To hear the explanations of officials of the corresponding state authorities and public organizations; and,
—To enlist as consultants scientists and field workers.

A refusal on the part of officials of state authorities and public organizations to make available to the committee the requisite documents and other information and also to communicate the proper information entail responsibility in accordance with the law.

Article 17. Examination of a Question by the USSR Constitutional Oversight Committee

The chairman of the USSR Constitutional Oversight Committee raises the question at a meeting of the committee within a month following completion of the preparation for examination of the question. The committee's draft rulings and the material pertaining thereto are distributed to the participants in the meeting no later than two weeks prior to the meeting.

The meeting is deemed competent given the presence of no less than two-thirds of the persons elected to the committee.

Committee meetings are conducted openly. A closed meeting is permitted only in the event of a need to preserve a state or other secret protected by law.

A representative of the body on whose initiative the given question is being examined and a representative of the body which issued the instrument or which has submitted a draft instrument have the right to take part in the committee meeting.

The following may participate in a meeting of the committee:
—The chairman of the USSR Supreme Soviet;
—Deputy chairmen of the USSR Supreme Soviet, the chairmen of the chambers of the USSR Supreme Soviet, and the chairman of committees of the USSR Supreme Soviet and the standing commissions of its chambers;
—The chairman of the USSR Council of Ministers;
—The chairman of the USSR People's Control Committee; and,
—The chairman of the USSR Supreme Court, the USSR procurator general, the USSR chief state arbitrator, and the USSR minister of justice.

The chairman or, at his behest, a member of the committee sets forth the essence of the question at issue.

The representative of the body on whose initiative the given question is being examined and the body which has issued an instrument or submitted a draft instrument have the right to express their opinion on the question at issue. Other persons may be heard from at the meeting at the committee's decision.

For making a ruling, the committee holds a meeting at which only the persons that are members thereof are present.

The committee's ruling is announced in open session and is publishable.

Article 18. Ruling of the USSR Constitutional Oversight Committee

A ruling of the USSR Constitutional Oversight Committee contains a finding concerning the correspondence or noncorrespondence of the instrument, draft instrument, or individual provisions thereof in question to the USSR Constitution and laws of the USSR and, where appropriate, also to the USSR's international obligations. Reasons for the ruling must be given.

A ruling of the committee is adopted by a simple majority of the persons who are members of the committee. These persons do not have the right to abstain. In the event of a tied vote, the committee chairman has the deciding vote.

A committee member with a special opinion may set it forth in writing. In this case it is incorporated in the committee's ruling separately.

Article 19. Forwarding of Rulings of the USSR Constitutional Oversight Committee to the Congress of USSR People's Deputies and the USSR Supreme Soviet

Rulings of the USSR Constitutional Oversight Committee pertaining to draft laws of the USSR and other instruments submitted for examination by the Congress of USSR People's Deputies and laws of the USSR and other instruments enacted by the congress are submitted to the Congress of USSR People's Deputies.

Rulings of the USSR Constitutional Oversight Committee pertaining to the constitutions and laws of the union republics are submitted to the Congress of USSR People's Deputies or the USSR Supreme Soviet.

The USSR Constitutional Oversight Committee's adoption of rulings indicated in this article does not suspend the effect of laws of the USSR and other instruments enacted by the Congress of USSR People's Deputies and constitutions of the union republics or individual provisions thereof.

A ruling of the USSR Constitutional Oversight Committee on the noncorrespondence to the USSR Constitution of an instrument adopted by the Congress of USSR People's Deputies and also of a union republic constitution or individual provisions thereof may be rejected by a decision of the congress adopted by two-thirds vote of the total number of USSR people's deputies. A ruling of the USSR Constitutional Oversight Committee is presented for discussion and a vote before the next meeting of the congress.

Article 20. Forwarding of a Ruling of the USSR Constitutional Oversight Committee to the Body Which Issued the Instrument

The ruling of the USSR Constitutional Oversight Committee is in all cases forwarded to the body which issued the instrument in respect of which the ruling has been made; and to the body on whose initiative the question was examined and, simultaneously, to the USSR Supreme Soviet Presidium.

Article 21. Suspension or Invalidity of an Instrument Not Corresponding to the USSR Constitution or a Law of the USSR

The adoption by the USSR Constitutional Oversight Committee of a ruling on the noncorrespondence of an instrument or individual provisions thereof to the USSR Constitution or a law of the USSR, other than the rulings specified in Article 19 of this law, suspends an instrument fully or in a particular part thereof until the specified discrepancy is removed.

Notice to the effect that an instrument or individual provisions thereof are unenforceable is published and distributed in the same manner that the instrument which has been suspended was published and distributed.

A ruling of the USSR Constitutional Oversight Committee affirming that some normative legislative instrument or individual provisions thereof violate the basic rights and liberties of the individual enshrined in the USSR Constitution and in international instruments to which the USSR subscribes entails the invalidity of this instrument or individual provisions thereof from the time the committee's ruling is adopted.

Article 22. Ending an Instrument's Noncorrespondence to the USSR Constitution or a Law of the USSR

The body which issued the instrument ends within a period of three months the noncorrespondence of the instrument or individual provisions thereof to the USSR Constitution or a law of the USSR specified in a ruling of the USSR Constitutional Oversight Committee. If necessary, the length of time for ending the noncorrespondence may be extended by a decree of the USSR Supreme Soviet Presidium.

Upon expiration of the specified period of time, if the noncorrespondence has not been ended, the committee presents a submission accordingly to the Congress of USSR People's Deputies, the USSR Supreme Soviet, or to the USSR Council of Ministers concerning revocation of the instrument of the body or official accountable to them or of individual provisions of the instrument not corresponding to the USSR Constitution or a law of the USSR.

In the event of the USSR Supreme Soviet rejecting a ruling of the committee, the question is examined by the Congress of USSR People's Deputies, whose decision is final. A decision on the rejection by the Congress of USSR People's Deputies of a committee ruling is adopted by two-thirds vote of the total number of USSR people's deputies. If a proposal concerning rejection of a committee ruling does not obtain in the congress the necessary number of votes, the instrument or individual provisions thereof not corresponding to the USSR Constitution or a law of the USSR become invalid.

Article 23. Right of Legislative Initiative of the USSR Constitutional Oversight Committee

In accordance with the USSR Constitution, the USSR Constitutional Oversight Committee has the right of legislative initiative.

If the committee discovers that compliance with the provisions of the USSR Constitution is being impeded by the absence of the corresponding legislative instrument and also in other instances, it presents a submission to the Congress of USSR People's Deputies or the USSR Supreme Soviet on the need for the preparation and adoption of such an instrument.

IV. Status of Persons Elected to the USSR Constitutional Oversight Committee

Article 24. Independence of Persons Elected to the USSR Constitutional Oversight Committee

Persons elected to the USSR Constitutional Oversight Committee are independent in the exercise of their functions and subordinate only to the USSR Constitution. They must not solicit or obtain instructions from any state authorities and public organizations and officials.

Article 25. Incompatibility of the Status of a Person Elected to the USSR Constitutional Oversight Committee With Membership in Other Bodies

A person elected to the USSR Constitutional Oversight Committee may not simultaneously be a people's deputy or a member of bodies whose instruments are subject to the supervision of the committee.

Article 26. Right To Attend Meetings of State Bodies

The chairman, deputy chairman, and members of the USSR Constitutional Oversight Committee have the right to attend meetings of the Congress of USSR People's Deputies, the USSR Supreme Soviet, and the USSR Supreme Soviet Presidium.

Article 27. Inviolability of Persons Elected to the USSR Constitutional Oversight Committee

A person elected to the USSR Constitutional Oversight Committee may not be arraigned on a criminal charge, arrested, or subjected to measures of administrative punishment imposed in legal form without the committee's consent. A decision on consent is made by secret ballot by two-thirds vote of the USSR Constitutional Oversight Committee.

A person elected to the USSR Constitutional Oversight Committee may not be arraigned on any charge for an opinion he expresses or a vote he casts in examination of cases in the committee.

V. Other Questions of the Organization and Activity of the USSR Constitutional Oversight Committee

Article 28. Standing Orders of the USSR Constitutional Oversight Committee

The USSR Constitutional Oversight Committee adopts the committee's standing orders.

Article 29. Publication of Rulings and Other Material of the USSR Constitutional Oversight Committee

The rulings and other material of the USSR Constitutional Oversight Committee are published in VEDOMOSTI SYEZDA NARODNYKH DEPUTATOV SSSR I VERKHOVNOGO SOVETA SSSR.

Article 30. USSR Constitutional Oversight Committee Secretariat

Information and reference and other support work is performed by the USSR Constitutional Oversight Committee Secretariat. Regulations governing the committee's secretariat and its structure and staff are confirmed by the USSR Constitutional Oversight Committee.

Article 31. Seal of the USSR Constitutional Oversight Committee

The USSR Constitutional Oversight Committee has a seal depicting the USSR State Emblem and bearing its name.
M. Gorbachev, chairman of the USSR Supreme Soviet.
The Kremlin, Moscow, 23 December 1989.

Resolution on Oversight Law

90US0336B Moscow IZVESTIYA in Russian
26 Dec 89 Morning Edition p 2

[Text] The Congress of USSR People's Deputies resolves:

1. To elect as chairman of the USSR Constitutional Oversight Committee Sergey Sergeyevich Alekseyev, director of the USSR Academy of Sciences Urals Department Institute of Philosophy and Law and corresponding member of the USSR Academy of Sciences.

To elect as deputy chairman of the USSR Constitutional Oversight Committee Prof Boris Mikhaylovich Lazarev, head of a department of the USSR Academy of Sciences Institute of State and Law and doctor of legal sciences.

2. To instruct the USSR Supreme Soviet to elect at the next session members of the USSR Constitutional Oversight Committee in the number stipulated by the USSR Constitution and the USSR law "Constitutional Oversight in the USSR," one per union republic and four from the autonomous formations included.
M. Gorbachev, chairman of the USSR Supreme Soviet.
The Kremlin, Moscow, 23 December 1989.

Resolution on Electing Oversight Committee

90US0336C Moscow IZVESTIYA in Russian
26 Dec 89 Morning Edition p 2

[Text] In connection with the enactment of the USSR law "Constitutional Oversight in the USSR," the Congress of USSR People's Deputies resolves:

1. To introduce the USSR law "Constitutional Oversight in the USSR" as of 1 January 1990.

The provisions of the said law concerning oversight of the correspondence of the constitutions and laws of the union republics to the USSR Constitution and USSR laws will take effect simultaneously with the changes and additions to the section of the USSR Constitution on the USSR's nation-state arrangement. This exception does not extend to the USSR Constitutional Oversight Committee's exercise as of 1 January 1990 of oversight of normative legislative instruments concerning citizens' basic rights and liberties.

2. For the purpose of implementation of the principle of the replaceability of the USSR Constitutional Oversight Committee provided for by Article 6 of the USSR law "Constitutional Oversight in the USSR" to establish that immediately following the election of the first committee, the committee chairman will determine by lots the 13 members of the committee whose term of authority expires in 5 years. At subsequent elections, each committee member will be elected for a 10-year term.

3. That on questions of the safeguarding of labor rights and on other conditions supporting their activity the people elected to the USSR Constitutional Oversight Committee are on a par with USSR people's deputies.

[Signed] M. Gorbachev, chairman of the USSR Supreme Soviet.
The Kremlin, Moscow, 23 December 1989.

Oversight Committee Head Interviewed

90UN0625A Moscow TRUD in Russian
5 Jan 90 p 2

[Report on interview with Professor B.M. Lazarev, deputy chairman of USSR Constitutional Oversight Committee, by TASS; date, place not given: "I Pledge To Uphold Constitution"]

[Text] **The USSR Law on Constitutional Oversight went into effect on 1 January 1990. Its adoption at the Second Congress of People's Deputies was preceded by a heated, stormy discussion which revealed, as one of the deputies said, a considerable range of opinions. But today the disputes have passed. The law lives, is beginning to serve democracy, and is helping society to become more just and human.**

In connection with it, a USSR Constitutional Oversight Committee is being formed—an unusual organ for our country.

[TASS] And who up until now saw to it that the laws did not depart from the Constitution?

[Lazarev] Control over adherence to the USSR Constitution and assurance of the conformity of the constitutions and laws of the union republics to the Constitution of the country and the laws of the USSR was exercised and will be exercised by the Presidium of the USSR Supreme Soviet. It looked after the legality of government decisions. They could be abrogated, if they were found to contradict the Constitution and Union laws.

Now the USSR Supreme Soviet has the right to revoke decrees and instructions of the USSR Council of Ministers, and also decrees and instructions of the councils of ministers of the union republics in the event of their noncompliance with the Constitution and laws of the USSR.

[TASS] How would you define the main tasks of the new committee?

[Lazarev] I think that the most concise purpose is reflected in the text of the oath that all members of the commission have to take. Here are the words: "I solemnly swear to conscientiously fulfill the duties of a member of the USSR Constitutional Oversight Committee that have been entrusted to me, and, in doing this, to submit to all provisions of the Constitution of the USSR, and to nothing else." The main task of the committee is guard the basic law of the country, to see to it that legality is observed by all elements of the highest echelons of authority of the USSR and the union republics. It is a legal instrument that ensures, as we hope, additional guarantees of legality in the country, including the legality of the laws themselves. The committee will be able to assess the actions of the government of the USSR from the standpoint of their legal competence. We will scrupulously determine whether it is taking on itself the functions of the legislators and whether it violates the contents of laws. All of this is very important to the formation of a law-governed state.

[TASS] During consideration of the draft law, addenda were made to the draft law. Do they change much in the ideas that were originally set forth?

[Lazarev] The composition of the committee is increased by four persons and raised the total to 27. The addition will come owing to the candidacies nominated by our autonomous formations. The final selection of those who will join it will be determined by the chairman of the USSR Supreme Soviet, and the USSR Supreme Soviet will vote on his representations. That is the charge that the Congress of People's Deputies gave him. Apparently this will occur at the coming session. Another change: The provisions of the Law on the Committee that concern oversight on the compliance of the constitution and the laws of the union republics with the Constitution and laws of the USSR will go into force simultaneously with the changes and additions to the section of the USSR Constitution concerning the national state structure. But the committee even now has the possibility to implement oversight of union and republic normative acts which relate to the basic rights and freedoms of citizens. It it is found that these documents in some way violate personal rights, we have a right to declare that they lost force from the moment of adoption.

[TASS] In other words, anyone who believes that his freedoms are restricted can turn to your committee?

[Lazarev] Not entirely so. We are not supposed to examine the complaints of specific citizens. We are concerned with the essence of a question in dispute. We provide findings on the legality of one or another decision only to organizations or officials who have a right to come to the committee with inquiries or to give it instructions—the Congress of People's Deputies, the Supreme Soviet and each of its chambers, the Presidium of the Supreme Soviet, permanent deputy commissions and committees, and higher organs of authority of the union republics.

[TASS] Debates at the congress on the Law on Constitutional Oversight, we will say right out, had a bitter character, and resulted in a polarization of opinions. Why?

[Lazarev] The committee that was being established was viewed through a prism of federal relations. The representatives of some union republics, mainly the Baltic republics, thought that it would restrict their initiative in renewing laws. One of the deputies called the committee a "legal muzzle on perestroyka."

[TASS] And in fact?

[Lazarev] I do not think this is so. Up to now, we were able to renew one-third of the text of the USSR Constitution. Moreover, the congress instructed the Supreme Soviet to adopt a package of laws concerning property, land, the local economy, and self-government, even if its individual articles contradict the union constitution. Finally, the USSR Supreme Soviet, in adopting laws on the shift of a number of republics to self-government and self-financing, established that, in the course of implementing this reform, it is permissible to deviate from the acts of union administrative legislation if it interferes with the introduction of regional cost accounting and self-government. So that to say that the republics' hands seem to be tied in the area of creating laws is at the very least unfounded.

[TASS] But you cannot deny that some laws adopted in the republics are questionable from a legal standpoint?

[Lazarev] You, apparently, have in mind the residential qualification for candidates for deputy? This, I think, is an incorrect step. Union legislation provides for only one qualification—age.

[TASS] Someone hastened to declare all enterprises on its territory the property of the republic. Is this correct?

[Lazarev] I think not. Even to resubordinate enterprises of a union subordination, transferring them to republic authorities, requires the decisions of union agencies. Those who are hurrying with the transfer of all property to the union republics are positing the argument about the fact that the republics are sovereign. Well, is not the Union sovereign?

[TASS] But many such laws already exist.

[Lazarev] Yes, they are adopted. However, hastily. Apparently the fear dominates republic legislators that the Constitutional Oversight Committee will hamper their initiative. But, evidently, there is also the fear that

the committee will counteract clearly designated separatist aspirations. It is not accidental that some proposed giving the republics the right of veto over union laws or to establish that union laws are applicable on the territory of a given republic only in the event that they are ratified by the authorities of the republic. However, is it reasonable within the scope of a federation to operate on the principle "I want-I do not want"? If a republic legislator gets an opportunity to block any union law, we will turn into a confederation. Meanwhile, the USSR is not simply a union of republics, but one united state. That is the way it was recorded in the union agreement of 1922.

[TASS] As we see from the text of the law, the functions of the committee are not limited to oversight?

[Lazarev] It will provide findings on draft union laws and even on adopted laws; that is, it will conduct expert scientific legal analysis of them, averting possible departures from the USSR Constitution. Moreover, the committee will examine disagreements between the union and the republics, and between republics and other national-state systems, if this is requested by the disputing parties themselves. The committee will assume the duties of a constitutional court.

[TASS] How do you intend to organize its work?

[Lazarev] We will have a small auxiliary scientific staff at our disposal consisting of qualified legal specialists on various branches of the law. It looks like they will need a computer system—the volume of information that should always be at hand is tremendous. Candidates for membership on the committee are nominated by scholarly establishments and VUZ's [higher educational institution]. Afterwards, they are looked over by the presidiums of the Supreme Soviets of the union republics and the USSR People's Deputies from corresponding republics. The right of official submission of candidates for election belongs only to the chairman of the USSR Supreme Soviet. The independence of the members of the committee is fixed by law. They are subject only to the Constitution. Like the people's deputies, all members of the committee have the status of immunity. They cannot be relieved during the entire period of their authority (10 years). But rotation has been provided for—after the first five years, half of the staff of committee members is renewed.

[TASS] Undoubtedly, your committee is to play an important role in our life.

[Lazarev] We will try to raise the authority of the USSR Constitution, which previously was looked upon almost like just an ideological document. It seems to me that we will be able to guarantee the primacy of law, and to achieve the kind of change in the atmosphere of the society itself where the infringement of legality and violation of the USSR Constitution will be intolerable and will be effectively suppressed.

Lithuanian Deputies on Constitutional Oversight

90UN0644B Vilnius SOVETSKAYA LITVA in Russian 28 Dec 89 p 2

[Speech by USSR People's Deputy K.V. Moteka, attorney at Vilnius First Lawyers' College, Varenskiy National-Territorial Electoral Okrug, Lithuanian SSR, to Second Congress of USSR People's Deputies in Moscow; date not given]

[Text] Esteemed Congress! Regarding the Law on Constitutional Oversight in the USSR and the formation of the USSR Constitutional Oversight Committee, I will read out a statement from the parliamentary group.

"We USSR people's deputies of the Baltic Parliamentary Group consider it our duty to once again set forth our attitude toward the proposed USSR Constitutional Oversight Committee and, accordingly, toward the proposed Law on Constitutional Oversight in the USSR. Both the law and the committee affect essential sovereign rights of the republics and afford institutions located outside of the republics an opportunity to abolish their laws, including articles of the basic law of any republic. We do not have the authority for such a denial of the republics' state sovereignty, as, equally, the deputies of other republics do not have the right to take it away. We are convinced that the adoption of decisions in accordance with the law and the committee is possible only given compliance with the principle of consensus. However, the mechanism of such discussion of the issues and decisionmaking has yet to be developed.

"The draft Law on Constitutional Oversight in the USSR has not even been read out, even less discussed, by the Supreme Soviet chambers, which attests to an adroit haste in the way it is being pushed through. In the current situation of the fundamental renewal of union legislation and the lagging of constitutional reforms of the union level behind those in the republics, constitutional oversight would serve anti-perestroyka reactionary ends. It could be employed, while we lack an integral USSR Constitution of the times of perestroyka, against any republic and any economic laws and decrees which they adopt.

"We also call the congress' attention to the fact that the incorporation of Lithuania, Latvia, and Estonia in the USSR is without a basis in international law, by virtue of which constitutional oversight and the demands for the supremacy of USSR laws in these republics are contrary to the principle of the self-determination of the peoples of these republics.

"Proceeding from the reasons we have set forth, we propose that the congress terminate discussion of the draft law and postpone election of the committee until a later date, when the constitutional and legal conditions have matured for this. Lacking such conditions at the present time, we will not discuss this question or take part in the voting. We hereby assert the incompetence of

any possible decision of the congress not based on consensus in connection with said law and committee."

The whole course of the Soviet Union's social and political development at this stage (this is now my speech) indicates that it is on the threshold of major changes, but is simply not venturing to cross this threshold. Not so much objective as subjective factors are preventing this to a large extent. The constitutional oversight which is being offered us threatens to become such a subjective factor. It would deprive the union republics of the last vestiges of independence in law-making and would deprive the peoples of the republics of the right to participate in economic, sociocultural and political development whereby all man's rights and basic liberties and the people's right to self-determination and full sovereignty could be fully realized.

Attention should be called in this connection to the fact that the above-mentioned rights of the peoples are firmly enshrined in Article 1 of the Declaration of the Right to Development. The Soviet Union voted for the affirmation of these rights for the peoples. This provision is enshrined in UN General Assembly Resolution 41/128 of 4 December 1986. The Soviet Union recognized before the whole world the right of the development of each people, and for this reason it is not within its jurisdiction to decide which laws the peoples are obliged to adopt and in which republic, and which, not. No gendarmes in the form of oversight (in this context) are needed here. In addition, Lithuania, as a Baltic state, was in 1940, following the ultimatum of the Soviet military invasion, forcibly incorporated into the Soviet Union. The Lithuanian people, like we, their representatives here, at the Second Congress of People's Deputies, understand perestroyka not only as glasnost, which encompasses merely acknowledgment of crimes committed, but also as a process of the elimination of these crimes. Stalin, former chief of the Communist Party and the Soviet Union, and his clique wiped out with their terror in percentage terms more of the Lithuanian population than the loss of the population and forces of the Soviet Union in World War II. But neither Stalin's terror nor the war following the war for freedom and independence, which was fought with us up to 1953, nor the mass arrests and deportation to remote parts of the Soviet Union destroyed the Lithuanian and other peoples of the Baltic states. Masses of people perished, but the people survived, live on, and are under the new conditions continuing the struggle for freedom and the independence of their motherland.

For this reason the people have the right to demand that the Soviet Union, by which Lithuania was deprived of the independence recognized by Vladimir Ilich Lenin and his government (if the union is really restructuring and dissociating itself from Stalin's crimes), should itself primarily display goodwill and adopt the most urgent measures for an end to this long-lasting Stalinist crime and remove its consequences. As a deputy from the Lithuanian electorate, I wish to say that the building of a new Soviet state—law-based, to which perestroyka aspires—is inconceivable if it is erected on an illegally laid foundation. Therefore I, as a person endowed with the authority of the Lithuanian electorate, call on the USSR Government to commence as quickly as possible official negotiations with Lithuania's empowered representatives on the elimination of Stalin's crimes and restoration of the independence of the Lithuanian state. Inasmuch as this question is closely linked with international law and with the building of the European home, these negotiations should be conducted in the presence of representatives of the European and other states, the vast majority of which have not recognized de jure the incorporation of the Baltic states into the USSR, and international organizations. I report for your information that the 11th Lithuanian SSR [Soviet Socialist Republic] Supreme Soviet 15th Session formed a commission to draw up a plan for restoration of Lithuania's independence.

Fully supporting the statement of the Baltic Parliamentary Group and the deputies from Lithuania, I notify the congress that the people's deputies from Lithuania, as well as the vast majority of deputies from Estonia and Latvia, will not take part in discussion of the draft Law on Constitutional Oversight in the USSR. Neither a representative of Lithuania nor any other citizen of Lithuania will take part in the work of the USSR Constitutional Oversight Committee. I beg to have this statement entered in the minutes of the Second Congress of USSR People's Deputies.

At the same time, I hand to the Congress Presidium the statement of the Baltic Parliamentary Group of 19 December 1989 and the statement of people's deputies from Lithuania of 12 December 1989 for their publication as official documents of the Congress. The full text of my speech is appended also.